

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5839 of 2013**

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M/S Prakrti Enterprises, a partnership firm having its registered office at House No. 462, Ground Floor, Nehru Nagar, P.O. and P.S. Patliputra Colony, Patna -13 through one of its partners Dev Kumar Singh son of Late Bhikhan Prasad Singh

.... .... Petitioner

Versus

1. Bihar State Power (Holding) Company Ltd., Patna, Vidyut Bhawan, Bailey Road, Patna -1 through its Chairman-Cum-Managing Director
2. The Chairman-Cum-Managing Director, Bihar State Power (Holding) Company Ltd., Patna, Vidyut Bhawan, Bailey Road, Patna -1
3. Chief Engineer (Commercial), Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna -1
4. Secretary, Bihar State Power (Holding) Company Ltd., Patna, Vidyut Bhawan, Bailey Road, Patna -1
5. Director (Finance), Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna -1
6. Electrical Superintending Engineer, Bihar State Power (Holding) Company Ltd. Electric Supply Circle, Saharsa, P.O. and P.S. - Saharsa, District - Saharsa
7. Electrical Executive Engineer, Bihar State Power (Holding) Company Ltd., MRT, Saharsa, P.O. and P.S. - Saharsa, District - Saharsa
8. Assistant Electrical Engineer, Bihar State Power (Holding) Company Ltd, MRT , Saharsa, P.O. and P.S. - Saharsa, District - Saharsa

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate

: Mr. Raju Giri, Advocate

For the Respondent/s : Mr. Anand Kumar Ojha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

4      31-08-2015                      Heard learned counsel for the petitioner and the respondents.

2. The petitioner prays for quashing the letter dated 14.01.2013 issued by the Secretary, Bihar State Power (Holding) Company Ltd., Patna as well as for quashing the order dated 05.02.2013, whereby the Electrical Superintending Engineer and

Electrical Executive Engineer have been directed to take action against the petitioner for unaccounted meter and replaced meter, not devoluted to the Central Store. The petitioner also prays for quashing the letter dated 08.02.2013 of respondent no.3, by which Bank guarantee has been revoked.

3. The petitioner is a partnership firm. It was allotted tender for installation / replacement of single phase and three phase meter in the premises of unmetered consumers and consumers with defective/burnt meters in Electric Supply Circle, Saharsa.

4. The petitioner's case is that though it has installed the meters and replaced the defective meters in accordance with the work order, his bills have not been reimbursed. The petitioner in support of the submissions that he carried out work of installing and replacing the defective meters, has brought some documents on record.

5. On the other hand, learned counsel for the Power (Holding) Company disputes the claim. He submits that the petitioner has not installed the meters within time and not as per the specifications set out in the tender. Even the burnt meters have not been devoluted to the central store. Besides this, the installation work is behind its schedule.

6. I find that one similar matter, came for consideration before this Court, bearing C.W.J.C. No. 2528 of 2013, which was disposed of on 10.08.2015 and this Court granted one more chance to the petitioner of that case to place his case before the Chief Engineer (Commercial) of the concerned division, who would consider the claims.

7. The issue in hand is based on claims and counter claims, which would require due appraisal and scrutiny of facts. In such circumstances, I am too inclined to grant one more chance to the petitioner to represent his case before the Chief Engineer (Commercial) of the concerned division, who after hearing the concerned parties would dispose of the claim within a period of eight weeks from the date of receipt/production of a copy of this order.

8. In the meantime, no coercive steps would be taken against the petitioner.

9. This application stands disposed of.

**(Samarendra Pratap Singh, J.)**

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