

(2002) 06 JH CK 0024
In the Jharkhand High Court
Case No : C.W.J.C. No. 2853 of 2000

Bharat Ingots and Steel Company (P) Ltd.	APPELLANT
Vs	
Bihar State Electricity Board and Another	RESPONDENT

Date of Decision : 10-06-2002

Acts Referred:

Citation : (2002) 06 JH CK 0024

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : S.L. Agarwal, for the Appellant; V.P. Singh and Rajesh Shankar, for the Respondent

Final Decision : Dismissed

Judgement

S.J. Mukhopadhaya, J.—The petitioner M/s Bharat Ingots & Steel Company (P) Ltd.. Industrial Area, Gamaharia, Jamshedpur had preferred a claim under Clause 13 of the H.T. agreement for remission in contract demand and A.M.G. charges which was rejected by General Manager-cum-Chief Engineer, Singhbhum Area, Jamshedpur vide order dated 24th June, 2000. From the impugned order dated 24th June, 2000 it will be evident that the date of issue and payment of A.M.G. bills were 20th July, 1999 and 9th August, 1999 respectively. The petitioner did not oppose to such bills for months together and preferred claim under Clause 13 on 11th May, 2000. In this background the General Manager rejected the claim being time barred.

2. The Counsel for the petitioner submitted that Notification No. 810 dated 29th July, 1994 having not been published in Official Gazette, the respondents cannot reject the claim on the basis of limitation, prescribed in the aforesaid notification. However, such submission was opposed by Mr. V.P. Singh, the Counsel for the Board who produced Notification No. 810 dated 29th July, 1994 published in the Bihar Gazette, extraordinary on 6th September, 1995.

3. The other submission made on behalf of the petitioner is that the notification

dated 29th July, 1994 only covers the financial year 1994-95. However such submission cannot be accepted as the period of limitation prescribed under Clause 4(P) does not stipulate any specific period.

4. In any case there being much delay in filing application under Clause 13 of the H.T. Agreement, I find no reason to interfere with the order dated 24th June, 2000.

5. The writ petition is accordingly dismissed.