

(2002) 01 JH CK 0026
In the Jharkhand High Court
Case No : Writ Petition (C) No. 176 of 2002

Vijai Kumar Choudhary

APPELLANT

Vs

The Jharkhand State Electricity Board and Others

RESPONDENT

Date of Decision : 08-01-2002

Acts Referred:

Citation : (2002) 01 JH CK 0026

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

Bench : Single Bench

Advocate : M.K. Roy, for the Appellant; A.K. Mehta, for the Respondent

Judgement

S.J. Mukhopadhaya, J.—According to petitioner he has purchased the land in question with building over plot Nos. 1473 and 1475 under Khata No. 80 situated in Sadar PS. District-Dhanbad by registered sale deed dated 11.6.1999. He applied for fresh electrical connection after renovation of the building but it has been rejected by the Jr. Electrical Engineer on the ground that there are outstanding dues against the vendor Sri. A.C. Choudhury.

2. Having regards to the facts and circumstances, the Court feels that the matter requires determination by the competent authority of the electricity Board.

3. The petitioner is accordingly given liberty to approach the Electrical Executive Engineer, Dhanbad Urban Division, Dhanbad who will verify the sale deed dated 11.6.1999 and will find out as to whether in pursuance of such sale deed the petitioner is liable to pay the dues of vendor or not. If no such clause is made or shown in the sale deed that the petitioner will be liable to pay the dues of the vendor the respondents will not force the petitioner to pay the dues of erstwhile owner.

4. In such case the petitioner may be given electrical connection immediately, if requisite amount, forms and other documents are deposited.

5. However, if any adverse decision is taken the authority will communicate the

ground to the petitioner within a month from the date of production of photocopy of the sale deed.

It will be also open to the Board to realise the dues of erstwhile owner, in accordance with law.

The writ petition stands disposed of.