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# NATURALS DAIRY (P) LTD.

PHONE: 0612-2274891/  
9334485453

Email :ndplpatna@gmail.com  
Website : www.naturalsdairy.com  
03.05.2014

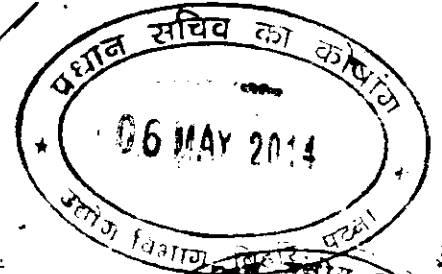
*2032/DC  
07/5/14*

To,  
The Principal Secretary,  
Industries Department,  
Govt. Of Bihar  
Vikas Bhavan (New Secretariat )  
Patna

*1426/DC  
10/5/14*

Ref: Electricity A/c No. 401425HT

Sub: Regarding Illegal disconnection of our electric connection today .



*1426/DC  
10/5/14*

Dear Sir,

*1426/DC  
10/5/14*

We wish to bring to your kind notice that our electric connection was restored by the order of Hon'ble High Court on dated 04.12.2013 vide CWJC No.24076/2013. The arrears of Rs.829726.00 was allowed to be paid in six instalments first being Rs.2.00 lacs and Rs.1.25 lacs per month. According to the order of Hon'ble High Court we were supposed to deposit current energy charges & instalment on monthly basis . Accordingly , instalment was fixed . The entire arrears was to be paid within 31.05.2014 .

We complied the order and deposited payment on a regular basis . Now only instalment for the month of May-14 is left. The details is attached as annexure A. The current energy charges for the month of March (billed in April-14) was paid through MR No.5595609 & MR.No.5594760 . Instalment amount of Rs.1.25 lacs for the month of April-14 was also paid vide cheque No. 31870 Dated 30.04.2014 directly in the official bank a/c of EEE (Patliputra) a/c No.2518201001300 maintained at Canara bank, Patliputra branch,Patna . The information regarding the same was given to the said EEE (Patliputra) through SMS on his mobile phone No.7763814104 on 30.04.2014. Simultaneously , we also shared this information with him through letter dated 02.05.2014.

Today at 10.40 a.m one line man whose name was Parmeshwar yadav came inside the factory premises to see our proof of payment which we showed to him . We also showed our bank a/c statement which was downloaded at 10.27 A.M showing available balance in our a/c as Rs.152647.68 which was quite enough to clear the cheque presented . Satisfied & convinced the man went away . Meanwhile , at 11.41 am our a/c was debited by Rs.1.25 lacs as the above cheque was cleared by the bank . This was confirmed by a SMS by SBI online banking on my mobile No.9334485453 . We immediately informed the concerned EEE (Patliputra) office about the same . In the afternoon at around 1.45 p.m 2-3 line man entered our factory premises misleading the guard as meter reader and on the pretext of checking the meter they disconnected our electric connection without any prior information & notice . After **disconnection of electricity they informed us that on the order & instructions of concerned EEE (Patliputra) this illegal activity has been done .** We went to the concerned EEE (Patliputra) office with the SBI a/c statement duly stamped by SBI which clearly showed above cheque was cleared by the bank . But the concerned EEE (Patliputra) refused to entertain us on the pretext that until the amount reflects in his a/c he is not going to restore our electric connection . Knowing the facts fully well that today being Saturday the confirmation of

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NAGAR RAILWAY CROSSING , PATNA -800013

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credit can only be ascertain on Monday . This is deliberately being done with a malice intention to harass us. Our huge amount of security deposit is lying in the Electricity company which is far more than total arrears as of date .

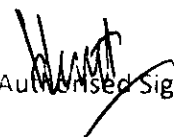
The entire sequence of event above shows that the concerned EEE (Patliputra) have done this with prejudice to settle the personal vendetta . The concerned EEE (Patliputra) activity shows he has malifide intention to make a loss to our company . He very well know that this is a dairy industry and power is a very important ingredients for us. As of now around 30000 litres of milk is in our plant . Two cold rooms are full with icecream and other fastly perishable goods . The sudden power disruption has spoiled the entire stocks . Around 55 workers and other manpower sat idle . The boiler which runs on coal was destroyed . Our generator set is also not in condition to take the load . Above all being extreme summer the refrigeration load in the plant is at its peak . We have lost a huge sum stocks & business reputation by this illegal action .The total loss is in the tune of 50 lacs. This is also violation of Hon'ble High court order too .

This is perhaps not the matter of recovery of arrears but something personal which the concerned EEE (patliputra) is trying to settle with us for the reason best known to him ? If he was so bound with his duties why didn't he disconnected our electric connection on 30.04.2014 itself why he waited till 03.05.2014 ? If he can wait for 3 days can't he wait for another 2 days to check his a/c ? He had all the powers under the law to initiate legal action against us if something wrong has been said or done by us . All this matter needs to be probed and if my apprehension is correct appropriate action should be taken against such official. Perhaps this is the reason industry in Bihar is not coming up inspite of all the efforts of the state government . We have been generating revenue for the electricity company and the state as well . We have created a job opportunities to thousands of people in Bihar . This kind of hindrances and red tapism needs to be removed for attracting investment in Bihar.

This illegal activity of the concerned EEE was also brought to the notice of Mr.Vijay Kumar, Chief Engineer (Commercial) , Mr.M.K.Ojha , SE (HT) , GM (PESU) , SE (PESU), Mr.Gautam, A.E (HT cell) and other officials. But none of them came to our rescue .

You are the custodian of industry in Bihar . This kind of atrocities on the running units should be stopped . We request you to kindly take up the matter at the appropriate level of the electric company so that such incidence is not repeated . In the Bihar electricity supply code there is a provision of 15 days notice before disconnection which these people have forgotten and they are using their monopoly to harass their industrial customer (HT) at their whims & fancy.

Thanking you,  
Yours faithfully,  
For Naturals Dairy (P) Ltd.,

  
(Authorized Signatory)

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NAGAR RAILWAY CROSSING , PATNA -800013

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## Enclosure :

1. Money receipts of payments made
2. SBI Bank Statement
3. Letter to EEE Patliputra , dated 02.05.2014
4. Copy of order passed by Hon'ble High Court , Patna

## Copy forwarded to :

1. The Managing Director , SBPDCL , Patna
2. GM (PESU)
3. SE (PESU)
4. SE (HT Cell) , SBPDCL
5. EEE , SBPDCL , Electric Supply division, Patliputra circle ,PESU (W)
6. President , Bihar Industries Association, Patna

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## ANNEXURE -A

### DETAILS OF PAYMENT OF CURRENT ENERGY CHARGES

SL.NO.	BILL DATE	AMOUNT	MR NO.	DATE	REMARK
1	Nov-13	12538.00	252102	06.01.2014	
2.	Dec-13 & Jan-14	49478.00	4950143	28.02.2014	
3	Feb-14-	53864.00	250908	29.03.2014	
4	March-14	77821.00	5594760 & 5595609	26.04.2014 & 30.04.2014	
	<b>TOTAL</b>	<b>193701.00</b>			

### DETAILS OF PAYMENT OF ARREAR

INSTALMENT NO.	AMOUNT	MR.NO.	DATE	REMARK
1	200000.00	252101	06.01.2014	
2	125000.00	4943672	30.01.2014	
3	125000.00	4950142	28.02.2014	
4	125000.00	250907	29.03.2014	
5	125000.00	318770	30.04.2014	PAID BY CHQ DIRECTLY IN THE A/C No.2518201001300 MAINTAINED AT CANARA BANK, PATLIPUTRA BRANCH, PATNA OF THE COMPANY.
<b>TOTAL</b>	<b>700000.00</b>			

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NS - 11, PATLIPUTRA INDUSTRIAL AREA, NEAR RAJEEV  
NAGAR RAILWAY CROSSING , PATNA -800013

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**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.24076 of 2013**

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M/s Naturals Dairy Pvt. Ltd. a company registered under the Companies Act, 1956, having its registered office at NS-11, Patliputra Industrial Area, Town and District Patna, through its Managing Director, Sri Hemant Kumar Das, son of Sri Awadhesh Kumar Das, resident of 504, White House, Block A, Budh Marg, P.S.-Kotwali, Town and District-Patna.  
..... Petitioner.

Versus

1. The Bihar State Power Holding Company Ltd. through its Managing Director.
  2. The Electrical Executive Engineer HT Billing, Patna Electric Supply Undertaking (West) Circle, Patliputra Division, Patna.
  3. The Assistant Electrical Engineer HT Billing, Patna Electric Supply Undertaking (West) Circle, Patliputra Division, Patna.
- ..... Respondents.

**Appearance :**

For the Petitioner/s : Mr. Gautam Kumar Kejriwal  
For the Respondent/s : Mr. Vinay Kirti Singh

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH**  
**ORAL ORDER**

02 04-12-2013

The petitioner has a HTS-I connection. It has an industry for dairy products at Patliputra Industrial Area, Patna. Petitioner's electricity has been disconnected with effect from 01.10.2013 for non-payment of electricity dues as apparent from the bill issued on 04<sup>th</sup> of November, 2013 as appended as Annexure-9 to the writ petition. The outstanding dues are to the extent of Rs.8,29,726.00.

Learned counsel for the petitioner submits that due to certain extraneous reasons payments could not be made in time. However, the only indulgence that the petitioner seeks is fixation of installments for liquidation of these arrears.

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Mr. Vinay Kirti Singh, learned counsel appearing for the Power Company, submits that earlier also petitioner had defaulted and had been granted installments. He defaulted in payment of those installments.

Be that whatever it may, as of now the total dues outstanding is Rs.8,29,726.00, on petitioner's depositing by demand draft an amount of Rs.2 lakhs within 24 hours thereof his electricity shall be fully energized. Thereafter, the balance the petitioner would pay in installments of Rs.1.25 lakhs along with delayed payment surcharge thereon. This would be in addition to the current consumption bill which has to be paid in full. Any default in payment of any of the aforesaid, the Power Company would be at liberty to disconnect supply and enforce payment of total outstanding dues in one go.

With these observations and directions, this writ petition stands disposed of.

(Navaniti Prasad Singh, J.)

Trivedi/-