

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2587 of 2013

In

Civil Writ Jurisdiction Case No. 16720 of 2010

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Sachita Nand Rastogi, Son of Sri Daya Shankar Rastogi, Resident of
Mohalla- Donbosco Road, P.S- Digha, District- Patna.

.... Petitioner

Versus

1. The Bihar State Electricity Board through its Chairman Bidhyut Bhawan No. 1, Bailey Road, Patna Now known as Bihar State Power Holding Pvt. Company through its Managing Director Palani Sahni Bailey Road, Patna.
2. The Electrical Assistant Engineer- Cum- Assessing Officer, Mithalesh Kumar, Electric Supply Sub- Division Digha, Patna.
3. The Raiding Party of Vigilance Bindhyachak Prasad of Bihar State Electricity Board Digha Ghat, Patna Now Known as the Raiding Party of S.T.F. Bihar State Power Holding Pvt. Company, Bailey Road, Patna.

.... Opposite Parties

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with

Civil Review No.17 of 2014

IN

Civil Writ Jurisdiction Case No. 16720 of 2010

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The Bihar State Power (Holding) Company Ltd., Patna (A Body Successor to erstwhile BSEB), through Deputy Legal Advisor, Sachchidanand Lal Karn, son of Late Triveni Lal Karn, posted as Deputy Law Advisor, Bihar State Electricity Board, Patna.

... Petitioner

Versus

1. Sachita Nand Rastogi S/O Sri Daya Shankar Rastogi, Resident of Mohalla- Donbosco Road, P.S- Digha, District- Patna.
- Respondent-Respondent
2. The Electrical Assistant Engineer- Cum- Assessing Officer, Electric Supply Sub- Division Digha, Patna.
3. The Raiding Party of Vigilance of Bihar State Electricity Board Digha Ghat Patna.

.....Writ Petitioner-Respondents.

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Appearance :

(In MJC No.2587 of 2013)

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

(In C. REV. No.17 of 2014)

For the Petitioner/s : Mr. Anand Kumar Ojha

For the Respondent/s : Mr.

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

ORAL ORDER

10 16-12-2015

Heard learned counsel for the parties.

M.J.C. No. 2587 of 2013 filed by the consumer and C. Rev. No. 17 of 2014 filed by the Bihar State Power (Holding) Company are being disposed of by a common order.

Today, at the outset, the Board has produced a copy of letter dated 15.12.2015 from which it appears that a sum of Rs. 2,96,764/- has been received by the consumer, in view of order dated 24.07.2012 passed in C.W.J.C. No. 16720 of 2010.

The payment has brought to a close the major dispute between the parties.

The petitioner, however, submits that as against a sum of Rs.3,50,000/-, a sum of Rs.2,96,764/- has been paid.

In this regard, I find that the Board vide letter dated 07.11.2015 has asked the consumer to produce the document in respect of balance amount.

It will be open for the consumer to produce the necessary materials in support of his remaining claim.

It will be in fairness to both the sides that the payment made would be submit to the result of the appeal (L.P.A. No. 405 of 2014) pending before a Division Bench and Cr. Misc. No. 21322 of 2014.

It goes without saying that the parties would not

insist on the interest part.

Both M.J.C. and C. Rev. applications stand disposed

of.

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(Samarendra Pratap Singh, J.)