

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1034 of 2014

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Arshad Khan, son of Haji Maqbool Khan, resident at Siswan Railway Dhala
(Gumti), Police Station-Siwan (Town), District-Siwan

.... Petitioner/s

Versus

1. The Electricity Board, through its Chairman, Bihar State Power Holding Co. Ltd., Patna
2. The North Bihar Power Distribution Co. Ltd. Muzaffarpur
3. The Executive Engineer, Bihar State Electricity Board, Siwan
4. The Assistant Engineer, Bihar State Electricity Board, Siwan
5. The Junior Engineer, Bihar Electricity Board, Siwan

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Irshad Ahmad Khan, Advocate

For the Respondent/s : Mr. Vijay Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 26-02-2015 Learned counsel for the parties are present.

Mr. Ratan Prasad Sinha, learned counsel appears for the respondent Company and files a counter affidavit, a copy of which has been served on counsel for the petitioner on 19.2.2015.

Mr. Sinha with reference to Annexure-6 to the writ petition has submitted that the final order of assessment was passed on 3.6.2013 which was never questioned by the petitioner before the appellate authority under Section 127 of the Electricity Act, 2003 rather a representation was filed on 10.6.2013 and which has been disposed of by the Electrical Executive Engineer vide the impugned order dated 8.7.2013 placed at Annexure-1. He

thus submits that since no appeal was preferred by the petitioner against the final assessment order and which has been accepted by him and hence the writ petition itself is not maintainable.

Mr. Irshad Ahmad Khan, learned counsel appearing on behalf of the petitioner at this stage prays to withdraw this writ petition.

As prayed, the writ petition is dismissed as withdrawn.

(Jyoti Saran, J)

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