

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24651 of 2013

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Rajiv Kumar Singh S/O Parmanand Singh Regional Manager, F.D.C. Ltd.
Co., Flat No. 201, Exhibition Road, Patna, Resident of Mohalla Exhibition
Road, P.S- Gandhi Maidan, District- Patna-1

.... Petitioner

Versus

1. The South Bihar Power Distribution Company (previously known as the Bihar State Electricity Board), through its Chairman, Bailey Road, (Jawaharlal Nehru Path), Patna.
2. The Electrical Executive Engineer, South Bihar Power Distribution Company (previously known as the Bihar State Electricity Board), Patna Urban Division, Bandar Bagicha, District- Patna.
3. Assistant Electrical Engineer, South Bihar Power Distribution Company (previously known as the Bihar State Electricity Board), Electric Supply Sub- Division, Kadamkuan, District- Patna
4. Naresh Kumar Agrawal S/O Late Deendayal Agrawal Bhajanka resident of mohalla- 105, Jagdish Enclave, Exhibition Road, Police Station- Gandhi Maidan, District- Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Prasad, Adv.

For the Respondent/s : Mr. Vinay Kirti Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 18-01-2016 Heard Sri Ajay Prasad, learned counsel for the petitioner and Sri Vinay Kirti Singh, learned counsel, who has appeared on behalf of Respondent/ South Bihar Power Distribution Company Ltd.

The present writ petition has been filed with a prayer to quash an inspection report dated 14.11.2013 i.e. Annexure-1 to the writ petition and also with a prayer to direct the Respondent authority to dispose of the objection, which has been filed under Section 126 of the Indian Electricity Act. It is a fact that after

inspection, an F.I.R. was lodged and the petitioner is also arrayed as one of the accused in the F.I.R. Accordingly, during pendency of the said criminal case, there is no question of examining the inspection report and, as such, first prayer, which has been made for quashing of the inspection report, is rejected.

So far disposal of objection filed by the petitioner under Section 126 of the Indian Electricity Act is concerned, Sri Vinay Kirti Singh, learned counsel for the Respondent fairly submits that the concerned authority due to unavoidable circumstances has not taken any decision in the matter. However, on objection, decision shall be taken immediately.

In view of facts and circumstances, there is no need to keep the matter pending. The writ petition stands disposed of with an expectation that objection filed by the petitioner under Section 126 of the Indian Electricity Act may be finally decided in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

(Rakesh Kumar, J)

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