

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23913 of 2013

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Mahesh Chaudhary son of Late Dhanusi Chaudhary @ Dhanki Chaudhary
Resident Of Village- Gospur, Sarswna, P.S- Bangara, District- Samastipur.

.... Petitioner/s

Versus

1. The Bihar State Electricity Board Through Its Chairman, Vidyut Bhawan, Bailey Road, Patna.
2. North Bihar Power Distribution Company Limited Through Its General Manager, Muzaffarpur.
3. The Superintending Engineer, North Bihar Power Distribution Company Limited.
4. The Executive Engineer, Bihar State Electricity Board, Samastipur, Division, Samastipur.
5. The Assistant Engineer Cum- Sub- Divisional Officer, Bihar State Electricity Board, Pusa Sub- Division, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Respondent/s : Mr. Ratan Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 01-02-2016 Learned counsel for the petitioner submits that during the pendency of the writ petition assessment order has been passed that too incorrectly by the assessing authority . However, in compliance with the interim order passed by this court on 6.5.2014 the petitioner earlier had deposited 50% of the disputed bill amount and thereafter his electric connection has already been restored. During the pendency of the writ petition he received the assessment order vide Annexure – ‘6’ to the interlocutory application i.e. I.A. No. 2867 of 2014.

Sri Ratan Prasad Sinha, learned counsel for the

respondent /North Bihar Power Distribution Co. Ltd. submits that against the order of the final assessing authority the petitioner is having remedy of appeal under Section 127 of the Indian Electricity Act, 2003.

In view of the facts and circumstances, the court proposes to dispose of the present writ petition granting liberty to the petitioner to avail statutory remedy.

It goes without saying that since the petitioner had approached this court in the year 2013 itself, if petitioner prefers appeal within a period of six weeks from today, the appeal may be entertained on its merit and decided in accordance with law.

(Rakesh Kumar, J)

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