

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4531 of 2013

=====

1. Md. Yonus Son of Late Md. Gulam Rasool Resident of Mohalla - Maripur, Power House Chowk, Muzaffarpur, P.S. Kazi Mohammadpur, in the District and Town - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Certificate Officer, Muzaffarpur
3. Bihar State Electricity Board through its Chairman
4. The Electrical Superintending Engineer, Electric Supply Division, Muzaffarpur
5. The Executive Engineer (Urban), Electric Supply Division, Muzaffarpur
6. Md. Ayub Son Of Late Md. Gulam Rasool Resident Of Mohalla - Maripur, Power House Chowk, Muzaffarpur, P.S. Kazi Mohamadpur In The District And Town- Muzaffarpur

.... Respondent/s

with

Civil Writ Jurisdiction Case No.4904 of 2013

=====

1. Md. Ayub Son of Late Gulam Rasul Resident of Mohalla- Maripur Power House Chauk, P.S. Kazi Mohammadpur District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Certificate Officer, Muzaffarpur
3. Electrical Executive Engineer, Bihar State Electricity Board Urban Electric Supply Division, Muzaffarpur
4. Md. Yunush Son of Late Gulam Rasul Resident of Mohalla- Maripur Near Power House Chauk, P.S. Kazi Mohammadpur, District- Muzaffarpur

.... Respondent/s

=====

Appearance :

(In CWJC No.4531 of 2013)

For the Petitioner/s : Mr. Dipak Sahay Jamuar, Adv.

For the Respondent/s : Mr. Prakash Kumar, Adv.

(In CWJC No.4904 of 2013)

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Respondent/s : Mr. Prakash Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 22-02-2016 Heard Mr. Dipak Sahay Jamuar, learned counsel for the

petitioner in C.W.J.C.No.4531 of 2013, Mr. Arun Kumar for petitioner in C.W.J.C.No.4904 of 2013, Mr. Prakash Kumar for the Power Holding Company in both the cases and learned counsel for the State in the respective cases.

Although the petitioners in the two writ petitions who are own brothers are aggrieved by the certificate proceeding arising from Certificate Case No. 144 of 2010-11 pending in the court of District Certificate Officer, Muzaffarpur initiated on a requisition placed by the respondent erstwhile Bihar State Electricity Board which stands replaced by the Bihar State Power Holding Company for recovery of bill amount of Rs. 73,60,474/- but when the matter is taken up for consideration learned counsel for the petitioners jointly submit that they would be satisfied if the writ petition would be disposed of with the direction to the District Certificate Officer to consider the objection filed on their behalf under Section 9 of the Bihar and Orissa Public Demands Recovery Act, 1914 (hereinafter referred to as 'the Act'). According to learned counsel for the petitioners the objections have not been disposed of.

Mr. Prakash Kumar learned counsel for the respondent Power Holding Company has no objection to the submission so made except that he is not aware whether the objections yet are

pending disposal.

Having heard learned counsel for the parties and considering the reasonable prayer made by the two petitioners, I dispose of these two writ petitions with the directions to the District Certificate Officer, Muzaffarpur in seisin of the Certificate Case No. 144 of 2010-11 to consider the objection so filed on behalf of the respective petitioners under Section 9 of 'the Act' and dispose of the same in accordance with law but only after giving an opportunity of hearing to the two writ petitioners, in case the objections have not already been disposed of.

The two writ petitions stands disposed of with the observations aforementioned.

(Jyoti Saran, J)

Bibhash/-

U			
---	--	--	--