

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3094 of 2015

In

Miscellaneous Jurisdiction Case No. 3629 of 2011

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1. Sayeedur Rahman, son of Late Abdul Azij Marhoom, Resident of Mohallah- Bhola Chowk Chandawara, Police Station- Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Rakesh Kumar, G.M. Commercial, Vidyut Vitran (Muzaffarpur) Ltd, Distribution franchises of NBPDCCL, Power House Chouk, Goversahi, Maripur, Muzaffarpur.
3. Sri Sanjay Kumar, Business Head, ESSEL Vidyut Vitran (Muzaffarpur) Ltd, Distribution franchises of NBPDCCL, Power House Chouk, Goversahi, Maripur, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.
For the Respondent/s : Mr. Binod Kumar Gupta, Adv.
Ms. Vagisha Pragy Vacaknavi, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 14-12-2017

Interlocutory Application No. 9052 of 2017

The interlocutory application has been filed in the present MJC application praying for exemption of the opposite party nos. 2 and 3 from personal appearance. However, the opposite party no. 2 has appeared, whereas the opposite party no. 3 has prayed for exemption on the ground of his illness.

Considering the submissions advanced on behalf of the opposite party no. 3, let the personal appearance of opposite party no. 3 be dispensed with.



Heard learned counsel for the petitioner and learned counsel appearing on behalf of the opposite party nos. 2 and 3.

In response to the earlier order passed by this Court, the G.M. Commercial, Vidyut Vitran (Muzuffarpur) Ltd. Distribution Franchise of NBPDC, Power House Chowk, Goversahi, Maripur, Muzuffarpur (opposite party no. 2) is present here to explain the circumstances for non-compliance of the order passed by this Court.

He says that no sooner the petitioner will appear before him, the issue regarding disposal of his representation will be addressed and appropriate orders will be passed in accordance with law.

Learned counsel for the petitioner submits that if the date is fixed, the petitioner will appear before the concerned authority for placing all the facts and circumstances and towards compliance of the order passed by this Court.

This Court directs, as agreed upon by the parties, that the petitioner shall appear before the opposite party no. 2 on the 18th of December, 2017 at 11:30 A.M. in his Chambers, on which date, the authority shall pass necessary orders disposing of his representation in accordance with law.

It is made clear that neither the petitioner nor the



authority should transgress the agreement arrived at between the parties and no further adjournment shall be granted to the petitioner and the authority shall be free to pass order in his absence.

With the aforementioned direction, the present MJC application stands disposed of.

(Anjana Mishra, J)

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