

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.865 of 2016

In

Civil Writ Jurisdiction Case No.11533 of 2014

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1. The North Bihar Power Distribution Company Limited through its Chairman having its office at Vidyut Bhawan Bailey Road Patna.
 2. The Chairman North Bihar Power Distribution Company Ltd Vidyut Bhawan Bailey Road, Patna.
 3. The Chief Executive Officer, North Bihar Power Distribution Company Ltd Patna.
 4. The Electrical Executive Engineer Cum- Assessing Officer, Electric Supply Division Siwan, District Siwan.
 5. The Assistant Electrical Engineer Electric Supply Division Siwan, District Siwan.
 6. The Junior Electrical Engineer Electric Supply Division Siwan, District Siwan.

... .. Appellant/s

Versus

Amrendra Prakash @ Amrendra Prakash Dwivedi Son of late Swami Nath Dwivedi Proprietor Prakash Hotel Rajendra Path, Siwan, P.S. Town, District Siwan

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ratan Prasad Sinha
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

12 12-12-2017 For the reasons indicated in the Interlocutory Application, namely, I. A. No. 3339 of 2016, the delay of 56 days in filing of appeal is condoned.

I. A. No. 3339 of 2016 is, accordingly, allowed.

The matter is now taken up on merits.

The appeal is disposed off with only one observation that



the assessing authority while making a fresh computation will not go by the observation of the Learned Single Judge made in the impugned order, dated 10.09.2015, but will go by the tariff provisions or the provisions laid down in the Electricity Supply Code, 2007 (now amended), because any assessment will have to be done on the basis of the notified provision.

Appeal stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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