

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1478 of 2013

In

Civil Writ Jurisdiction Case No. 963 of 2013

With

Interlocutory Application No. 8155 of 2013

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1. The Bihar State Power (Holding) Company Limited Through Its Managing Director Vidyut Bhawan Bailey Road, Patna
 2. The General Manager-Cum-Chief Engineer, Tirhut Area Electric Supply, North Bihar Transmission Company Limited, Muzaffarpur
 3. The Deputy General Manager, Tirhut Area Electric Supply, North Bihar Transmission Company Limited, Muzaffarpur
 4. Superintending Engineer Electric Circle, North Bihar Transmission Company Limited, Muzaffarpur
 5. Electrical Executive Engineer, Electric Circle, Muzaffarpur

.... Appellant/s

Versus

M/S Raj Flour Mill, A Partnership Firm Having Its Place Of Business At NH-28, Sadatpur, P.S.- Kanti, District- Muzaffarpur Through Its Partner Shiv Shankar Prasad Sahu, S/O Late Asarfi Lal Sahu, R/O Sadatpur, P.S.- Kanti, District- Muzaffarpur

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinay Kirti Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

3 23-02-2017 Heard counsel for the appellant and the counsel for the respondent.

Delay of 56 days in filing this appeal is condoned. I.A. No. 8155 of 2013 is allowed. The matter is thereafter taken up on merits.

Since the order impugned was passed as a stopgap



arrangement subject to final adjudication by the assessing authority no purpose would be served by interfering since four years have gone past since then.

In the opinion of the Court the decision of the Assessing authority if taken should govern the issue now.

The appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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