

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1563 of 2013
Arising out of
Civil Writ Jurisdiction Case No. 13365 of 2005**

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1. The Bihar State Electricity Board @ Bihar State Power Holding Company Limited through its Chairman-Cum Managing Director, Vidyut Bhawan, Bailey Road, Patna
 2. General Manager-Cum-Chief Engineer, Bihar State Electricity Board, Central Electric Supply Area, 8, Serpentine Road, Patna
 3. Deputy General Manager-Cum-E.S.E. Central Electric Supply Area, 8, Serpentine Road, Patna
 4. The Electrical Superintending Engineer, Patna Circle, Bihar State Electricity Board, Patna

.... Appellant/s

Versus

1. M/S J.G. Foundary Limited, Nai Sarak, Chowk, P.S. Chowk, Patna City, District- Patna, through its Vice-President, Brij Bihari Singh
2. Brij Bihari Singh, Son of Sri Rameshwar Prasad Singh, Resident of 68-A, Patliputra Colony, P.S. Patliputra, District- Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinay Kirti Singh, Sr. Advocate
Mr. Vijay Kumar Verma, Advocate
Mr. Akhileshwar Singh, Advocate

For the Respondent/s :

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 21-03-2017**

Re.:I.A. No. 8580 of 2013

The application is for condonation of delay of 105 days in filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory Application, we are satisfied that the appellants have shown sufficient cause to seek condonation of delay in filing the Letters Patent Appeal.



3. Consequently, the Interlocutory Application is allowed and delay in filing the Letters Patent Appeal is condoned.

Re.: L.P.A. No. 1563 of 2013

In view of the judgment rendered by a Division Bench of this Court on 13.05.2016 in C.W.J.C. No. 5614 of 1999 (Jai Mangal Steels Pvt. Ltd. Vs. Bihar State Electricity Board & Ors.) and the principles laid down as also the findings recorded in Paragraph 35 of the aforesaid judgment, this Letters Patent Appeal by the appellant Board is rendered infructuous. Action is now required to be taken in this case also in view of the directions in the case of Jai Mangal Steels Pvt. Ltd. (supra).

The Letters Patent Appeal stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	23.03.2017
Transmission Date	

