

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2235 of 2015

IN

Civil Writ Jurisdiction Case No. 3638 of 2014

- =====
1. The Bihar State Power (Holding) Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Chairman-cum-Managing Director
 2. The North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Director
 3. The General Manager cum Chief Engineer, Kosi Electric Supply Area, Saharsa
 4. The Electrical Superintending Engineer, Electric Supply Circle, Purnea
 5. The Electrical Executive Engineer (Commercial and Revenue), Electric Supply Circle, Purnea

.... Appellants

Versus

M/S Venky Steel Private Limited, National Highway- 31, Bypass Road, Belouri, Purnea, District Purnea, through its Director Chakrawarti Prasad son of Shri Brahmadeo Prasad Das, resident of Srikrishna Nagar, P.O., P.S. and District-Begusarai

.... Respondent

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Appearance :

For the Appellants : Mr. Vinay Kirti Singh, Senior Advocate
Mr. Vijay Kumar, Verma, Advocate
Mr. Akhileshwar Singh, Advocate
For the Respondent : Mr. Suraj Samdarshi, Advocate
Mr. Sumit Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 04-02-2017

For the reasons indicated in the Interlocutory Application, delay of 191 days is condoned. I.A. No. 9714 of 2015 is allowed. Matter is thereafter heard on merits.

After having heard learned senior counsel for the appellants and counsel for the private respondent, there seems to be unanimity at least on one aspect of the matter that the issue heard and



decided by the learned single Judge will also have some reflection on the law laid down in the case of Jai Mangla Steels Pvt. Ltd. Vs. Bihar State Electricity Board and others, which was C.W.J.C. No. 5614 of 1999 and other analogous cases, which was decided on 13.05.2016.

The law laid down by the learned Division Bench, therefore, covers the field. Nothing is required to be said over and above the said Division Bench decision and to that extent the impugned order of the learned single Judge is not required to be interfered with.

Appeal stands disposed of with the above observations.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
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