

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1223 of 2016

- =====
1. The Managing Director, North Bihar Power Distribution Co. Ltd., Vidyut Bhawan, Bailey Road, Bihar, Patna
 2. The Chief Engineer (Commerce), North Bihar Power Distribution Co. Ltd. Patna, Bihar
 3. The Assistant Engineer (Electric Supply Sub - D), Benipatti, Madhubani

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary (Department of Energy), Government of Bihar, Patna, Bihar
2. The District Magistrate, Madhubani, Bihar
3. Sri Sunil Chandra Mishra Son of Late Sri Birchandra Mishra resident of village - Dhakraji, P.O. Dhakraji, Via - Benipatti, District - Madhubani

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajeev Ranjan Prasad
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-08-2017

Re:-Interlocutory Application No. 9208 of 2016

The Interlocutory Application has been filed for condonation of delay in filing of the appeal.

On the ground mentioned in the Interlocutory Application, the delay in filing of the appeal is condoned.

Accordingly, the Interlocutory Application stands allowed and disposed of.

Re:-Letters Patent Appeal No. 1223 of 2016

Seeking exception to an order passed by the



learned Writ Court on 04.01.2016 in Civil Writ Jurisdiction Case No. 418 of 2015 allowing the writ petition filed by the respondent Sri. Sunil Chandra Mishra and directing for implementing the agreement in question entered into between the parties, in accordance to the provisions of the Rural Revenue Franchisee Scheme, 2013, learned Writ Court has recorded specific findings that once an agreement has been entered into for the period the agreement subsists, the parties are bound by the terms and conditions of the agreement and no deviation thereof can be permitted for recovering the electricity dues contrary to the agreement and in doing so, in our considered view, learned Writ Court has not committed any error warranting reconsideration.

Accordingly, the appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08/08/2017
Transmission Date	NA

