

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14129 of 2017

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M/s. Dhan Kuwar Cold Storage Private Limited, a Company incorporated under the provisions of the Companies Act, 1956 having its office at Kabristan Gali, Jitendra Poultry Farm, Nasriganj, P.O. Digha, P.S. Danapur, District Patna, through its Director, Satendra Kumar, son of Shri Brahmadeo Singh, Resident of Village- Kabristan Gali, Jitendra Poultry Farm, Nasriganj, P.O. Digha, P.S. Danapur, District Patna.

.... Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Department of Energy, Government of Bihar, Patna.
2. The Additional District Magistrate-cum- Appellate Authority, Patna.
3. The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Managing Director.
4. The Chief Engineer (Commercial), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
5. The Electrical Executive Engineer, Supply, Danapur, PESU (West), Patna.
6. The Electrical Executive Engineer, H.T. Cell, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Suraj Samdarshi, Advocate
For the State	:	Mr. Y.P. Sinha, AAG7
		Mr. Rajeev Kr. Sinha, AC to AAG 7
For the Company	:	Mr. Vijay Kirti Singh, Sr. Advocate
		Mr. Vijay Kr. Verma,
		Mr. Akhileshwar Singh, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-11-2017

The present writ petition has been file for a direction to the respondent no. 2 to decide the appeal and pass final order in Appeal Case No. 32 of 2013-14 filed under Section 127 of the Electricity Act, 2003; and for connected reliefs.

2. Learned counsel for the petitioner submits that an appeal against the final assessment order passed under Section 126 of the Electricity Act, 2003 was filed under Section 127 of the Electricity



Act registered as Appeal Case No. 32 of 2013-14.

3. Learned counsel for the respondent- South Bihar Power Distribution Company Limited appears and has been heard.

4. Having regard to the nature of the prayer, the writ petition is disposed of with a direction to the respondent-Additional District Magistrate-cum-Appellate Authority, Patna (respondent no. 2) to consider and dispose of the Appeal Case No. 32 of 2013-14 said to have been filed by the petitioner, if still pending, on its own merits and in accordance with law after grant of opportunity of hearing to the petitioner expeditiously and preferably within a period of four weeks from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10.11.2017
Transmission Date	N.A.

