

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5209 of 2016

=====

Birendra Prasad S/o Baij Nath Prasad M/s Sri Shankar Talkies, Rosera, P.S.
- Rosera, District - Samastipur.

.... Petitioner/s

Versus

1. The Chairman cum Managing Director North Bihar Power Distribution Company Ltd. Head Office Vidhut Bhawan, Baliey Road, Patna.
2. The Chief Engineer Commercial, North Bihar Power Distribution Company Ltd., Muzaffarpur.
3. The Superintending Engineer, North Bihar Power Distribution Company Ltd., Samastipur.
4. The Executive Engineer, North Bihar Power Distribution, Samastipur.
5. The Assistant Engineer cum S.D.O. , North Bihar Power Distribution Samastipur.
6. The Junior Engineer, North Bihar Power Distribution Company, Rosera.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Dr. Shashi Shekhar Kishore, Adv.
For the Respondent/s : Ratan Prasad Sinha, Adv.
Mr. Vijay Kumar Verma, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2018

The learned counsel for the respondents has filed a counter affidavit and has pointed out that the present case is a case falling under Section 126 of the Electricity Act, 2003 inasmuch as the case of the petitioner is that of unauthorized use of electricity. The respondents have contended that assessment has been made under Section 126 of the Electricity Act, 2003, hence, the petitioner is required to file an appeal under Section 127 of the Electricity Act, 2003 against the final assessment order dated 6.5.2015, which has been annexed to the counter-affidavit.

In view of the aforesaid, the learned counsel for the petitioner seeks to withdraw the present writ petition with liberty to challenge the final assessment order dated 6.5.2015.

Accordingly, the present writ petition is dismissed as



withdrawn with the aforesaid liberty.

(Mohit Kumar Shah, J)

BTiwary/-

U			
---	--	--	--

