

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.223 of 2017

In

Civil Writ Jurisdiction Case No. 5227 of 2007

- =====
1. The Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna (now restructured as North Bihar Power Distribution Co. Ltd.) through its Managing Director (Resp. No.1)
 2. The General Manager cum Chief Engineer, Tirhut Division, Muzaffarpur (Resp. No.3)
 3. Electrical Superintending Engineer, Motihari (Resp. No.4)
 4. Electrical Executive Engineer, Motihari (Resp. No.5)
- Respondent no. 1-5 is represented through its Law Officer of the North Bihar Power Distribution Co. Ltd. Vidyut Bhawan, Bailey Road, Patna
.... Appellants

Versus

1. M/s Shivam Cold Storage, Kaurihar, Raxaul, a partnership firm, through its Partner Lakshman Prasad, son of late Kamal Prasad resident of Kaurihar, Town and P.S. Raxaul, District East Champaran
 2. The Bihar Electricity Regulatory Commission constituted under the Electricity Act, 2003 having its office situated at Vidhyut Bhawan (Annexee), Bailey Road, Patna through its Secretary
- Respondents

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Appearance :

For the Appellant/s : Mr. Prakash Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

14 21-08-2018

Re: I.A.No. 849/2017

The appeal is delayed by more than 4 years and 94 days.

We have perused the reasons assigned in the limitation petition and we are certainly not satisfied with the explanation given therein for it was entirely the responsibility of the appellants- Board to ensure filing of the appeal within time and the explanation whatsoever given in the limitation petition in no



manner reduces their laid back attitude in taking effective steps for ensuring the filing of the appeal in time.

The limitation petition is dismissed. Consequently, the Letters Patent Appeal is dismissed.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

Surendra/-

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