

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6786 of 2017

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M/s Shankar Motors Private Limited, a Company incorporated under the Provisions of the Companies Act, 1956, Sabour Road (near Engineering College), Town & District Bhagalpur, through its Director, Pradeep Tiwari, Son of L.D. Tiwari, Resident of 6/7 Anandpuri, P.O. G.P.O., P.S. Srikrishnapuri, District Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Chairman-Cum-Managing Director.
2. The South Bihar Power Distribution Company Ltd., Vidyut Bhawan, Baily Road, Patna through its Managing Director.
3. The Electrical Executive Engineer, Electric Supply Division, Bhagalpur.
4. The Assistant Electrical Engineer, Electric Supply Division, Aliganj, Bhagalpur
5. Bhagalpur Electricity Distribution Company Private Limited, a Distribution Franchisee of the South Bihar Power Distribution Company Limited, Through

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi
For the Respondent/s	:	Mr. Vinay Kirti Singh
		Mr. Vijay Kumar Verma
		Mr. Akhileshwar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2018 The short prayer of the petitioner is that in terms of the order dated 14.02.2011 passed in CWJC No. 14150 of 2009, the final assessment order under Section 126 of the Electricity Act, 2003, has not been passed, hence the same be directed to be passed.

The learned senior counsel appearing for the respondent Company submits that the respondents would pass necessary orders under Section 126 of the Electricity Act, 2003 within a period of four weeks from today, after considering the objection already filed by the petitioner.



The learned counsel for the petitioner submits that the petitioner be granted opportunity of hearing.

Let the same be done by the respondent Company.

In the meantime, no coercive steps shall be taken with regard to the amount emanating from the unauthorized load found during the course of inspection in the year 2009 since the petitioner is stated to have deposited 75% of the said dues.

Nonetheless, it is clarified that the petitioner would pay the current electricity charges, as are outstanding, subsequent to the year 2009 onwards, failing which the Electricity Company shall be free to take any coercive action, as is warranted.

The writ petition is disposed of with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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