

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.865 of 2018

In

Civil Writ Jurisdiction Case No.10857 of 2018

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1. South Bihar Power Distribution Co. Ltd. a Company duly incorporated under the Companies Act, 1956, having its registered address at Second Floor, Vidyut Bhawan, Jawaharlal Nehru Marg, Bailey Road, Patna, Bihar 800022.
 2. The Chief Engineer (Commercial), South Bihar Power Distribution Company Limited, Vidhyut Bhawan, Bailey Road, Patna- 800001.

... .. Appellant/s

Versus

1. India Power Corporation (Bodhgaya) Ltd. a company duly incorporated by the India Power Corporation Limited, under the Companies Act, 1956, having its registered address at Plot NO. X-1-2 & 3 Block EP, Sector VS- P.S. Salt Lake City, District North 24 Pargana, Kolkata- 700091 (West Bengal), through its authorized representative, Sh. Rakesh Kumar Sharma, Dept. Manger (Legal), S/o Sh. Om Prakash Sharma, R/o Zeon Complex, Opp. Fire Brigade Office, Swarajpuri Road, Gaya, Bihar, P.S.- Civil Line District Gaya.
2. India Power Corporation Limited, a company duly incorporated under the Companies Act, 1956, having its registered address at Plot No. X-1-2 & 3, Block EP, Sector -Vs- P.S.- Salt Lake City, District- North 24, Pargana, Kolkata- 700091 (West Bengal), through its authorized representative, Sh. Samrat Chatterjee, Assistant Manager (Legal), S/o Sh. Kamal Chatterjee, R/o AE 31, Street No. 78, P.S. New Town, District- North 24, Pargana, Kolkata- 700091 (West Bengal).
3. Mr. Ashok Kumar Goswami, being one of the Directors of the petitioner No.1, Working for gain at Indian Power Corporation Limited, a company duly incorporated under the Companies Act, 1956, having its registered address at Plot No. X-1-2 & 3 Block EP, Sector- Vs- P.S. Salt Lake City, District- North 24, Pargana, Kolkata- 700091 (West Bengal).

... ..Writ petitioners. - Respondent/s

4. The State of Bihar through its Principal Secretary, Department of Energy, having his office at 8, Daroga Rai Path, Patna-800001.

... .. Respondent/Respondents
(Formal party)

Appearance :

For the Appellant/s	:	Mr. Lalit Kishore, Senior Advocate Mr. Anand Kumar Ojha, Advocate Mr. Kumar Manish, Advocate
For the Respondent/s	:	Mr. Shakib Ayaz, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



5 13-08-2018 Having heard learned counsel appearing for the respective parties, it is not in dispute that after the impugned order passed by the learned Single Judge, the Division Bench stayed the implementation of operation of the order passed by the learned Single Judge which has been reported to be confirmed by the Hon'ble Supreme Court. It is reported that even thereafter also, the learned Arbitrator has resumed the proceedings. That was consensus between the learned counsel appearing for the parties. As such not only the present Letters Patent Appeal, but also the original writ petition becomes infructuous.

Under the circumstances, the present Letters Patent Appeal as well as the original writ petition stands dismissed having been infructuous.

(Mukesh R. Shah, CJ)

(Dr. Ravi Ranjan, J)

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