

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1717 of 2015

In

Civil Writ Jurisdiction Case No.9362 of 2014

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-
1. The Bihar State Power holding Company Limited
 2. The North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Raod, Patna, through its
 3. The Electrical Executive Engineer, Electric Supply Division, Muzaffarpur.

... ... Appellant/s

Versus

1. The State Of Bihar
2. M/s Power Grid Corporation of India Limited, a Company incorporated under the provisions of the Com Katwaria Sarai, New Delhi- 110016, having one of its Grid at Dariyapur Kafen, P.S. Turki, District Muzaffarpur, through its Dy. General Manager Ajit Kumar, aged about 50 years, son of Sh. Chandra Chur Deo, resident of village- Deeha, P.S. Sadpur, P.S. Sahebpur Kamal, District Begusarai.

... ... Respondent/s

with

Letters Patent Appeal No. 1021 of 2015

In

Civil Writ Jurisdiction Case No.9362 of 2014

M/s Power Grid Corporation Of India Ltd. son of Shri Chandrachur Deo, resident of village Deeha, P.O. Sadpur, P.S. Sahebpur Kamal, District Begusarai.

... ... Appellant/s

Versus

1. The Bihar State Power Holding Company Ltd.
2. The North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its
3. The Electrical Executive Engineer, Electric Supply Division, Muzaffarpur.
4. The State of Bihar, through the Principal Secretary, Energy Department, Government of Bihar, Patna.

... ... Respondent/s

with

Letters Patent Appeal No. 1389 of 2015

In

Civil Writ Jurisdiction Case No.69 of 2015



M/s Power Grid Corporation Of India Limited having its registered office at Qutab Institutional Area, Katwaria Sarai, New Delhi - 110016, having one of its grid at Gaurichak, P.S. Gaurichak, District - Patna, through its Chief Manager, Sunil Kumar, son of Shri R. Sahu, resident of village Gaurichak, P.O. Fatehpur, P.S. Gaurichak, District Patna.

... .. Appellant/s

Versus

1. The Bihar State Power Holding Co. Ltd.
2. The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its
3. The Electrical Executive Engineer, Electric Supply Division, Masaurhi, District - Patna.
4. The State of Bihar, through the Principal Secretary, Energy Department, Government of Bihar, Patna.

... .. Respondent/s

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with
Letters Patent Appeal No. 1502 of 2015
In
Civil Writ Jurisdiction Case No.71 of 2015

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M/s Power Grid Corporation Of India Limited having one of its Grid at Patna-Ranchi Road, P.O. Mahanandpur, Biharsharif, District Nalanda through resident of 400/220 KV Colony, Biharsharif Sub Station, P.O. Mahanandpur, District Nalanda

... .. Appellant/s

Versus

1. The Bihar State Power Holding Company Limited
2. The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna through its M
3. The Electrical Executive Engineer, Electric Supply Division, Bihar Sharif, District- Nalanda
4. The State of Bihar through the Principal Secretary, Energy Department, Government of Bihar, Patna.

... .. Respondent/s

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with
Letters Patent Appeal No. 1680 of 2015
In
Civil Writ Jurisdiction Case No.9363 of 2014

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M/s Power Grid Corporation Of India Ltd. Katwaria Sarai, New Delhi-110016, having one of its Grid at Vill Maranga, P.S. Maranga, District Purnea,



through its Chief Manager, A.C.Das, Son of Sh. Shyamal Das, resident of vill
Tezpur, P.O. Tezpur, District- Sonitpur

... .. Appellant/s

Versus

1. The Bihar State Power Holding Company Ltd. Vidyut Bhawan, Bailey Road, Patna through its Chairman-cum-Managing Director
2. The North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna through its Managing Director
3. The Electrical Executive Engineer, Electric Supply Division, Purnea
4. The State of Bihar, through the Principal Secretary, Energy Department, Government of Bihar, Patna

... .. Respondent/s

with

Letters Patent Appeal No. 1831 of 2015

In

Civil Writ Jurisdiction Case No.9363 of 2014

1. The Bihar State Power holding Company Limited
2. The North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna through its M
3. The Electrical Executive Engineer, Electric Supply Division, Muzaffarpur

... .. Appellant/s

Versus

1. The State Of Bihar
2. M/s Power Grid Corporation of India Limited, a Company incorporated under the provisions of the Com Katwaria Sarai, New Delhi- 110016, having one of its Grid at Village- Maranga, P.S.- Maranga, District- Purnea through its Chief Manager, A.C. Das son of Sri Shyamal Das, resident of Village- Tejpur, P.O.- Tejpur, P.S.- Tejpur, District- Sonitpur

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 1717 of 2015)

For the Appellant/s : Mr. Anand Kumar Ojha
Mr. Anil Kumar Singh, Adv
Mr. Manish Kumar, AC to AAG-6
For the Respondent/s : Mr.Y.V. Giri, Sr. Adv.
Mr. Suraj Samdarshi, Adv.
Mrs.Aag10- P.N.Shahi

(In Letters Patent Appeal No. 1021 of 2015)

For the Appellant/s : Mr.Suraj Samdarshi
For the Respondent/s : Mr.

(In Letters Patent Appeal No. 1389 of 2015)

For the Appellant/s : Mr.Suraj Samdarshi



For the Respondent/s : Mr.Vinay Kirti Singh
(In Letters Patent Appeal No. 1502 of 2015)
For the Appellant/s : Mr.Suraj Samdarshi
For the Respondent/s : Mr.Vinay Kirti Singh
(In Letters Patent Appeal No. 1680 of 2015)
For the Appellant/s : Mr.Suraj Samdarshi
For the Respondent/s : Mr.
(In Letters Patent Appeal No. 1831 of 2015)
For the Appellant/s : Mr.Anand Kumar Ojha
For the Respondent/s : Mrs. Archana Sinha, AC To GP-25

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

26 28-11-2019 Heard learned counsel for the appellants and learned
counsel for the respondents.

The present Letter Patent Appeals are being filed
against the order and judgment dated 09.10.2014 passed in
C.W.J.C. No.9362/2014 (M/s Power Grid Corporation of India
Limited Vs. The Bihar State Power (Holding) Company Limited
& Ors.) by a Single Bench of this Court.

Learned Single Judge, vide judgement dated
9.10.2014 passed in C.W.J.C. No.9362 of 2014 (M/s Power
Grid Corporation of India Limited Vs. The Bihar State Power
(Holding) Company Limited & Ors.) and analogous cases has
adjudicated issues inter se the parties who are instrumentalities
of the State.

It is seen that both the parties, aggrieved of the order,
have filed separate appeals challenging the order in which,



pursuant to the directions issued by this Court, based on the law laid down by Hon'ble the Apex Court, parties have made endeavour to have their disputes amicably resolved. It is hearty to note that progress in that regard is nearing completion. The talks of settlement are underway in the office of the M.D/N.B..P.D.C.L. and the last of the minutes of the meeting held on 7.8.2019 in the office of the said officer, a copy of which is taken on record, is reproduced as under:

“1. List of participants enclosed.

2. In pursuance of Hon'ble Patna High Court order dated 24.07.2019 a meeting between the authorities of BSP(H)CL and PGCIL was held today i.e. on 07.08.19.

All related matters were discussed in detail and it was decided that only one issue regarding Sec 126 of EA, 2003 remained unresolved.

As such, it was decided to discuss this matter again on next date preferably, before next hearing in the Court with all available related documents.

In view of the same, we dispose of these appeals leaving it open to the parties to have the disputes, subject-matter of the present lis, resolved at the earliest of which we are hopeful and further leaving it open to the parties to take



recourse to such other remedies as are otherwise available in law including filing fresh appeals assailing the impugned order. All issues are left open. We are not expressing any opinion on the merits of the matter.

We only hope and expect the parties to decide the issue at the earliest and preferably within a period of two months.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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