

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.898 of 2018

In

Civil Writ Jurisdiction Case No.2963 of 2017

Pradeep Gupta, Son of late S.N. Gupta, Resident of 401, North Uday Giri Apartment, Opposite Patna Museum, P.S. Kotwali, Town and District- Patna.

... .. Appellant/s

Versus

1. Ashok Kumar, Son of Shri Shesh Narayan Sharma, Resident of Mohalla-Maruti Nagar, Chiraiyatand, P.S. Jakkanpur, District- Patna.
2. The Principal, Department of Energy, Bihar, Patna.
3. The Chief Managing Director, Bihar State Power holding company Vidyut Bhawan, Bailey Road, Patna.
4. The Chief Engineer-Cum-General Manager(PESU), Bihar, Patna.
5. The Executive Engineer, New Dak Bunglow Division, Bandar Bagicha, Patna.
6. The Junior Engineer, LIC Building Exhibition Road, Chauraha, Patna.
7. The House Control Cum Sub Division Magistrate Sadar, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bhubneshwar Prasad, Advocate
For the Respondent/s : Mr. Anand Kumar Ojha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-11-2019

Having heard learned counsel for the parties as also perused the writ record, we are of the considered view that no ground for interference is made out with the impugned judgment dated 03.05.2017 passed in C.W.J.C. No. 2963 of 2017, titled as Ashok Kumar Vs. The Principal Secretary, Department of Energy, Bihar, Patna & Ors. We do not find the reasoning adopted or the findings returned to be perverse or erroneous in any manner. The dispute is



primarily between the landlord and the tenant. Our attention is invited to the fact that the landlord has initiated proceedings for eviction against the tenant in accordance with law. All that the Writ Court has directed is restoration of the electricity connection at the cost to be borne by the tenant. This was by what is commonly termed as Pre-Paid Meter under the provisions of the Bihar Electricity Supply Code, 2007.

[2]. As we did attempt to have the dispute resolved between the landlord and the tenant, it appears that it is not possible at this stage. Perhaps, better wisdom will prevail upon the parties and with the passage of time the disputes will be amicably settled.

[3]. The Letters Patent Appeal stands disposed of accordingly.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

P.K.P./-

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