

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4170 of 2022

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Shyam Babu Yadav, aged about 74 years, Male, Son of Late Raghunandan Gope Resident of In Front of Hanuman Mandir Akhara, Dorukhi Gali, P.S.- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chairman-cum- Managing Director, South Bihar Power Holding Company, Bailey Road, Patna.
2. The Chairman-cum- Managing Director, South Bihar Power Holding Company, Bailey Road, Patna.
3. The Executive Engineer, South Bihar Power Holding Company, Bailey Road, Patna.
4. The Junior Electrical Engineer, Electrical Supply Section, P.M.C.H., Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Dutta Verma, Advocate
For the Respondent/s : Mrs. Namrata Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-10-2022

Petitioner has prayed for the following relief(s):-

“1. That, the application is for issuance of writ in the nature of certiorari for quashing the letter dated 19.02.2022, vide letter no. 561, whereby and where under a demand notice was raised against the petitioner amounting to Rs. 144767/- and for an appropriate direction/ order/orders/ command/ commands as may be deem fit and proper in the facts and circumstances of the case and also for any other relief/reliefs for which the petitioner may found entitled.”



Mrs. Namrata Mishra, learned counsel appearing on behalf of the respondents, states that the adjudicatory authority has passed the final order raising a demand of Rs. 1,54,219/-. She states that petitioner can easily approach the appellate authority, the final fact finding authority, for adjudication of the *lis*, inter se the parties.

Learned counsel for the petitioner states that petitioner is suffering inasmuch as the basic amenity of supply of electricity has not been restored and the petitioner is ready and willing to deposit a sum of Rs. 25,000/-, subject to adjudication of disputes by the appellate authority.

In view of the aforesaid, present petition is disposed of with following mutually agreeable terms:-

(i) Petitioner shall file an appeal before the appropriate authority within a period of two weeks from today;

(ii) The appellate authority shall decide the appeal within a period of three months from the date of filing along with a copy of this order;

(iii) Petitioner shall deposit a sum of Rs. 25,000/-, which shall be subject to the outcome of the appeal;

(iv) With the deposit of the said amount, appellate authority shall restore the electric connection immediately;



(v) The authority concerned shall pass a reasoned and speaking order; copy whereof shall be communicated to the petitioner;

(vi) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action.

Petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	20.10.2022
Transmission Date	

