

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5103 of 2018

In
Civil Writ Jurisdiction Case No.3380 of 2017

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M/s Hotel U.S. Residency a proprietary concern having its place of Business at Opposite LIC Office, M.G. Road, Aurangabad through one of its Proprietor, Smt. Urmila Devi, W/o Shyam Kishore Prasad, Son of Late Deo Nandan Prasad, resident of at Urmila Villa, Surya Mandir Road, P.S.-Town Aurangabad, District-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Pratyaya Amit, the Principle Secretary, Department of Energy, Government of Bihar, 3rd Secretariat, Patna
2. Sri Pratyaya Amrit Department of Energy, Government of Bihar, 3rd Secretariat, Patna
3. Sri S. Sidhartha Principal Secretary cum Industrial Development Commissioner, Industry Department, Vikas Bhavan, Bailey Road, Patna
4. Sri Pratyaya Amrit the Bihar State Power (Holding) Co. Ltd. having its office at Vidyut Bhavan, Bailey Road, Patna
5. Sri R. Laxmanan the Chairman cum Managing Director, Bihar State Power (Holding) Co. Ltd. having its office at Vidyut Bhavan, Bailey Road, Patna
6. Sr. R. Laxmanan the Managing Director, The South Bihar Power Distribution Co. Ltd., having its office at Vidyut Bhavan, Bailey Road, Patna
7. Sri R. Laxmanan The Managing Director, The South Bihar Power Distribution Co. Ltd., having its office at Vidyut Bhavan, Bailey Road, Patna
8. Sri Narendra Kumar the Chief Engineer (Commercial Cell), South Bihar Power Distribution Company Ltd. Vidyut Bhavan, Bailey Road, Patna
9. Sri Vijay Kumar Srivastava the Electrical Superintending Engineer, Electric Supply Circle, Gaya
10. Mritunjay Kumar Singh the Executive Engineer, Aurangabad Division, Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate Mr. Rahul Kumar, Advocate Mr. Anand Kumar, Advocate
For the Opposite Party/s	:	Mr. Shankar Kumar, AC to AAG-7
For the Company	:	Mr. Vijay Kirti Singh, Sr. Advocate Mr. Akhileshwar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 23-06-2023

Heard the parties.



Pursuant to the order passed in CWJC No.12134 of 2015 and analogous cases disposed of on 27.11.2017 a contempt application was preferred vide MJC No.614 of 2018, disposed of on 01.08.2018 for compliance of the observation made in MJC No.614 of 2018 the present petition.

A supplementary show-cause has been filed on opposite parties i.e. Bihar State Power Holding Company Limited and its officials in which it has been stated that on the representation of the petitioner on 20.06.2018 and 24.05.2018 before its Managing Director, the order was passed on 23.07.2018 and it is appropriate on record to bring on record paragraph-4.

“4.That the Petitioner itself had represented on 20.06.2018 and 24.05.2018 before the Managing Director of the South Bihar Power Distribution Company Ltd. The order passed on 23.07.2018 clearly mentions that w.e.f. July 2016, the benefits/exemption from MMG/ Demand have been stopped but letter in view of the Letter No. 816 dated 24.05.2018 the benefits have been made admissible till April 2018 hence total benefits of Rs. 6,96,428.70 had been allowed in the May 2018, Electricity Bill. The Show Cause already filed on 06.09.2019 contains the calculation detail and the May 2018 Bill



*showing adjustment of Rs. 6,96,428.70 at
Annexure-C/5, C/6 at Page 18A and 19.”*

In view of the said direction made by the opposite parties put on affidavit on 14.11.2022 not disputed by the petitioner till date, this Court is convinced that no case of contempt is now made out.

Accordingly, M.J.C. No.5103 of 2018 stands disposed of.

(Rajiv Roy, J)

Prakash Narayan /-

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