

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20634 of 2011**

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1. Dilip Kumar Son Of Shri Sadhu Saran Resident Of Quarter No. C-11 Old, Bseb Colony Shastri Nagar, Police Station Shastri Nagar, District Patna.
  2. Amita Nand Son Of Shri Panna Lal Pandit Resident Of Ajanta Colony, Rajeev Nagar, P.O. Keshri Nagar, P.S. Patliputra, District Patna.
  3. Brajesh Kumar Son Of Shri Krishna Nandan Prasad Resident Of House No. 234 Nehru Nagar, Police Station Patliputra, District Patna.
  4. Rajeev Ranjan Son Of Late Govind Prasad Gain Resident Of A/98 P.C. Colony, P.O. Lahianagar, P.S. Kankarbagh, District Patna.

... .. Petitioners

Versus

1. The Bihar State Electricity Board, through its Secretary.
2. The Chairman, Bihar State Electricity Board, Patna.
3. The Secretary Bihar State Electricity Board, Patna.
4. The Joint Secretary Bihar State Electricity Board, Patna.
5. The Member Administration Bihar State Electricity Board, Patna.
6. Bihar State Power Holding Corporation through its Managing Director.

... .. Respondents

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**Appearance :**

For the Petitioner/s : Mr.Binodanand Mishra, Advocate  
For the Respondent/s : Mr.Dharmeshwar Mishra, Advocate  
Mr.Indrajeet Bhushan, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5      14-02-2023                      Learned counsel for the respondents has informed this Court that during pendency of this writ application, the Bihar State Electricity Board has been re-structured and now the Bihar State Electricity Board (respondent no. 1) is required to be substituted by Bihar State Power Holding Cooperation Ltd. Learned counsel for the petitioners seeks permission to substitute Bihar State Power Holding Cooperation Ltd. in place of Bihar State Electricity Board in the array of party



respondents in course of the day.

He is permitted to do so.

Mr. Binodanand Mishra, learned counsel for the petitioners submits that during pendency of the writ application the final gradation list has been published, therefore, this writ application has become infructuous.

Learned counsel for the Bihar State Power Holding Corporation Ltd. agrees with the same.

At this stage, learned counsel for the petitioners seeks liberty to challenge the final gradation list.

This Court is of the opinion that no liberty is required to be granted for this purpose as in case the petitioners have a cause of action and they want to seek their remedy, they can apply for the same subject to all contentions which remain open. In no way, the order of this Court shall be treated as giving any fresh cause of action to the petitioners.

This writ application is disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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