

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17098 of 2022

=====

Suraj Kumar, Son of Late Bishundeo Prasad Resident of Mohalla-
Kadamkuan, Park Road, P.S.- Kadamkuan, P.O.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department, Patna, Bihar.
2. Managing Director, South Bihar Power Distribution Company Ltd. Patna.
3. Chief Engineer, South Bihar Power Distribution Company Ltd. Patna.
4. Electrical Superintending Engineer, Electric Supply Circle, East Patna Electric Supply Undertaking, Patna.
5. Electrical Executive Engineer, Electric Supply Division, East Patna Electric Supply Undertaking, Patna.
6. Assistant Electrical Engineer, Electric Supply Sub-Division, East Patna Electric Supply Undertaking, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mrs. Archana Sinha Shahi, Advocate
For the SBPDCL	:	Mr. Vijay Kumar Verma, Advocate
For the State	:	Mr. Ashutosh Kumar Upadhyaya, AC to SC-9

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

13 10-10-2023 After some arguments having sensed the difficulty in proceeding with the matter, learned counsel for the petitioner seeks permission to withdraw this writ application with liberty to challenge the final order of assessment (Annexure- 'C' to the counter affidavit).

2. Learned counsel submits that the final order of assessment has been placed on record through the counter affidavit only, therefore, the petitioner will seek his remedy against the same in accordance with law.



3. At this stage, it is submitted that the electricity line of the premises of the petitioner be ordered to be restored.

4. Learned counsel for the Power Company submits that he would have no objection if the petitioner seeks his remedy against the final order of assessment in accordance with law. However, in case, in the meantime the petitioner deposits at least 50% of the finally assessed amount i.e. Rs.3,60,166/- as per Annexure- 'C' to the counter affidavit, the Power Company shall restore the electricity connection of the premises of the petitioner.

5. In view of the above submissions, this application is permitted to be withdrawn with liberty to the petitioner to seek his remedy against the final order of assessment before the appropriate court/forum as may be advised to him within four weeks from today.

6. It is open for the petitioner to deposit 50% of the final assessment amount as per Annexure- 'C' to the counter affidavit and seek restoration of the electricity line of his premises. If the 50% amount is deposited, the Power Company shall restore the electricity line of the premises of the petitioner subject to result of the appropriate proceeding.

7. It is, however, made clear that if the petitioner does



not avail the remedy available to him against the final assessment order within the given period, it would be open to the Power Company to proceed towards realizing the total amount as per final assessment order.

(Rajeev Ranjan Prasad, J)

arvind/-

U			
---	--	--	--

