

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1391 of 2022

Arising Out of PS. Case No.-260 Year-2022 Thana- BUNIYAD GANJ District- Gaya

SHASHI BHUSHAN MALIVIYA S/o Late Ram Chandra Malviya R/o -
Gopal Pandey Lane, Manpur, P.S.- Buniyadganj, Distt- Gaya
... Petitioner

Versus

1. The Managing Director, Bihar State Power Transmission Co. Ltd., Bihar Patna
2. The Managing Director South Bihar Power Distribution Company Ltd., Bihar, Patna
3. The Electrical Superintending Engineer, Mesa, Gaya
4. Electrical Executive Engineer Electric Supply, Circle, South Bihar Power Distribution Company Ltd. Electrical Executive Engineer Electric Supply, Circle, South Bihar Power Distribution Company Ltd. Gaya
5. The Electrical Assistant Engineer Sub-Division Manpur, Gaya

... Respondents

Appearance :

For the Petitioner	:	Mr.Sharda Nand Mishra, Adv.
For the SBPDCL	:	Mr.Vinay Kirti Singh, Sr. Adv. with M/s Vijay Kumar Verma & Akhileshwar, Advs.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2023 Heard the counsel for the petitioner and the counsel
for the South Bihar Power Distribution Company Limited.

Counsel for the petitioner submits that false case has been filed against him. He submits that in the seizure list there is gross violation of Section 100 of the Criminal Procedure Code, 1973. Counsel submits that as per the allegation he has submitted the fine as raised by the South Bihar Power Distribution Company Limited.

Mr. Vinay Kirti Singh, learned Senior Counsel, assisted by Mr. Vijay Kumar Verma, counsel for the South Bihar



Power Distribution Company Limited, submits that this case is not maintainable on the ground that South Bihar Power Distribution Company Limited is a legal entity and this legal entity has not been made party-respondent.

Counsel for the petitioner is directed to add the South Bihar Power Distribution Company Limited as party-respondent in course of the day.

After going through the records and hearing the arguments as well as considering the position of law so far as the Electricity Act is concerned, this Court is of the view that Section 135 of the Electricity Act is compoundable in nature. The petitioner is directed to do the needful that compounding may take place and this case may be closed.

This writ petition is **disposed off**.

(Dr. Anshuman, J)

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