

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr.M.P. No. 1240 of 2020

Balwant Singh

... .. Petitioner

Versus

1. The State of Jharkhand

2. Sunil Kumar

... .. Opposite Parties

CORAM: HON'BLE MR. JUSTICE NAVNEET KUMAR

For the Petitioner

: Mr. Saloni Mittal, Advocate

For the State

: Mr. Prabhu Dayal Agarwal, A.P.P.

For the O.P. No. 2.

: Mr. Nilesh Kumar, Advocate

Order No. 04 / Dated: 17th February, 2023

I.A. No. 734 of 2023

Heard learned counsel appearing on behalf of the petitioner learned counsel for the State as also learned counsel for opposite party No. 2.

Learned counsel appearing on behalf of opposite party No. 2, Jharkhand State Electricity Board, seeks adjournment to file counter in this case.

Learned counsel appearing on behalf of opposite party No. 2, Jharkhand State Electricity Board is given one more opportunity by way of last indulgence, to file counter in this case positively by the next date, failing which appropriate orders shall be passed on the basis of the materials available on record.

It has also been prayed on behalf of opposite party No. 2, that the name of the learned counsel Mr. Nilesh Kumar, is not appearing in the cause list and therefore direction may be given that his name be reflected in the cause list for his appearance.

Let the name of Mr. Nilesh Kumar be reflected in the cause list on behalf of Jharkhand State Electricity Board for his appearance.

Learned counsel for the petitioner has submitted that one Interlocutory Application being I.A. No. 734 of 2023 has been filed with a prayer to extend the interim order granted vide order dated 15.09.2020 in view of the fact that in the light of the judgment passed by the Hon'ble Supreme Court in the case of *Asian Resurfacing of Road Agency Private Ltd. & Another Versus C.B.I.* reported in (2018) 16 SCC 299, the learned Court below has vacated the stay order passed by this Court vide order dated 21.06.2022 and proceeded with the case and therefore, it is urged on behalf of the petitioner that let the interim relief be continued till the next date.

In the facts and circumstances of this case and having been satisfied with the submission advanced on behalf of the petitioners, the interim order dated 15.09.2020, is extended and shall remain in force till the next date.

In above view of the matter, the pending Interlocutory Application being I.A. No. 734 of 2023, gets disposed of.

J.Minj

(Navneet Kumar, J.)