

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(C) No.1593 of 2016**

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Bihar State Power Holding Company Limited. .... Petitioner.  
-Versus-  
The State of Jharkhand & Ors. .... Respondents.  
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**CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Petitioner : Mr. Manoj Tandon, Advocate  
For the State : Mr. Shamim Akhtar, G.A.III  
For Respondent-JUVNL: Mr. Navin Kumar, Advocate  
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**I.A. No.772 of 2018:**

**03/30.01.2018:** While pressing the present interlocutory application, learned counsel for the petitioner/applicant confines his prayer to the extent of staying the operation of the impugned order dated 25<sup>th</sup> January, 2016 passed by Jharkhand Micro Small and Medium Enterprises Facilitation Council (for short 'Council') in Case No.JHMSEFC-04/2013.

Learned counsel for the petitioner/applicant submits that the Council has erroneously saddled the liability upon the petitioner/applicant to make payment of the alleged due to the respondent no.3 despite the fact that the materials were primarily supplied in the central stores at Ranchi, Dhanbad, Deoghar, Giridih, Dumka and Jamshedpur, which fall under the territorial jurisdiction of erstwhile Jharkhand State Electricity Board (now Jharkhand Urja Vikas Nigam Limited). It is further submitted that the respondent no.3 is proceeding for execution of said order dated 25<sup>th</sup> January, 2016 passed by the Council. Learned counsel for the petitioner/applicant, accordingly, prays for staying the operation of the order dated 25<sup>th</sup> January, 2016 (Annexure-3 to the writ petition).

Having heard learned counsel for the parties and on going through the contents of the writ petition as well as the present interlocutory application, the operation of the order dated 25<sup>th</sup> January, 2016 passed by the Council in Case No.JHMSEFC-04/2013 is hereby stayed till further order.

Accordingly, I.A. No.772 of 2018 stands disposed of.

**W.P.(C) No.1593 of 2016:**

Issue notice.

Mr. Shamim Akhtar, learned G.A.III, appears and waives notice on behalf of respondent no.1.

Mr. Navin Kumar, Advocate appears and waives notice on behalf of respondent no.2.

Learned counsel for the respondent nos.1 and 2 pray for and are allowed four weeks' time to seek instructions and file their respective counter affidavits.

Issue notice to respondent no.3 under registered cover with A/D as well as ordinary process for which requisites etc. must be filed in Court within a period of one week failing which this writ petition, as against the concerned respondent, shall stand rejected without further reference to a bench.

Notice is made returnable after four weeks.

**(Rajesh Shankar, J.)**

*Sanjay/*