

ITEM NO.110

COURT NO.4

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).1225/2011

M/S SHAH HITECH AUTO ALCAST CO(P) LTD.

Appellant(s)

VERSUS

JHARKHAND STATE ELEC.BOARD

Respondent(s)

Date : 13-09-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Appellant(s) Mr. Devashish Bharuka, AOR  
Ms. Anu Tyagi, Adv.For Respondent(s) Mr. Jayesh Gaurav, Adv.  
Ms. Diksha Ojha, Adv.  
Mr. Farrukh Rasheed, AOR

Mr. C. K. Rai, AOR

Mr. Gopal Prasad, AOR

UPON hearing the counsel the Court made the following  
O R D E RThe appeal is disposed of in terms of the signed  
order.(SANJAY KUMAR-I)  
AR-CUM-PS(KAILASH CHANDER)  
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1225 OF 2011

M/S SHAH HITECH AUTO ALCAST CO(P) LTD. ...APPELLANT(s)

VERSUS

JHARKHAND STATE ELEC.BOARD & ORS. ...RESPONDENT(s)

O R D E R

Pursuant to the order dated 9<sup>th</sup> December, 2013 and 26<sup>th</sup> March, 2014, a hearing was granted to the appellant by the Ombudsman. The final decision taken by the Ombudsman on 4<sup>th</sup> February, 2016 is against the appellant. It is submitted that the appellant has challenged the decision of the Ombudsman in Writ Petition No.1183 of 2016 in the Jharkhand High Court.

Under these circumstances, the present appeal appears to have become infructuous.

Learned counsel for the appellant submits that in I.A. No.4 an order was passed on 9<sup>th</sup> December, 2013 to the effect that the electricity supply of the appellant may be restored during the pendency of the appeal subject to the current bills being paid regularly.

It is stated by learned counsel for the appellant that the current bills are being paid regularly.

However, learned counsel for the respondents says that the arrears are in the region of about Rs. two crores

That being the position, we continue the interim order passed on 9<sup>th</sup> December, 2013, but, in view of the fact that the Ombudsman has decided against the appellant, we make it clear that the interim order will continue for a period of eight weeks from today.

Liberty is granted to the appellant to approach the High Court for continuation of the interim order. Of course, the respondents will be entitled to oppose the application for continuing the interim order.

The appeal is disposed of in view of the above.

.....J.  
(MADAN B. LOKUR)

.....J.  
(DEEPAK GUPTA)

NEW DELHI  
SEPTEMBER 13, 2017