

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 5876 of 2022

Applicant :- Ram Autar

Opposite Party :- V.K. Singh, Executive Engineer And Another

Counsel for Applicant :- Anil Kumar Sharma, Kapil Kumar

Counsel for Opposite Party :- Baleshwar Chaturvedi

Hon'ble Rohit Ranjan Agarwal, J.

District Consumer Forum, Agra on 06.06.2020 had directed that the applicant was to be charged as per the rural tariff and not as per urban tariff.

The order passed by the Consumer Forum, Agra was put to challenge by the Electricity Department through Writ-C No.12472 of 2021, wherein the writ Court, on 23.06.2021 had passed the following order:-

"Let the notice be issued to respondents fixing on 23rd August, 2021.

List on 23rd August, 2021, by which date respondents may file their respective counter affidavit.

In the meantime, the petitioners may comply with the order dated 06.06.2020. However, the billing shall be subject to decision of this petition."

The writ Court had directed the Electricity Department to comply the order dated 06.06.2020 passed by the Consumer Forum, and the billing done by the Electricity Department was subject to the decision of the writ petition. The writ petition filed by the opposite party is still pending.

An affidavit of compliance was filed to the contempt application way back in the year 2022, wherein it has specifically been averred in para 6 of the affidavit of compliance that the opposite party had issued an amended bill of the applicant from "Urban Tariff" to "Rural Metered (ST-17)" and the bill amount has been amended from Rs.2,27,077/- to Rs.74,108.00/- vide order dated 21.08.2021, which has been appended as Annexure 4 to the said affidavit.

In view of the said fact as the order of the writ Court has been complied with, present contempt application is rendered infructuous and the same stands dismissed.

Order Date :- 4.12.2023

SK Goswami