

Court No. - 3

Case :- WRIT - C No. - 31431 of 2023

Petitioner :- Babu Ram

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Manoj Kumar

Counsel for Respondent :- C.S.C., Udit Chandra

Hon'ble Siddhartha Varma, J.

Hon'ble Manoj Bajaj, J.

1. Heard Sri Manoj Kumar, learned counsel for the petitioner and Sri Neetesh Patel, Advocate holding brief of Sri Udit Chandra, learned counsel for the Electricity Department.

1. From the record we find that the petitioner had been billed for the theft of electricity to the tune of Rs. 1,05,494/-. Another bill was generated for the actual consumption of electricity and for that he was charged Rs. 51,289/-.

2. Learned counsel for the petitioner has stated that the amount which was being charged towards the consumption of bill was being disputed by him.

3. Learned counsel for the Electricity Department has stated that the petitioner if is aggrieved by the bill which had been generated for the actual consumption of the electricity, then he could always approach the Electricity Department under Clause 6.5 of the Electricity Code, 2003. With regard to the bill which had been issued for the theft of the electricity, learned counsel for the Electricity Department stated that if the petitioner was aggrieved by the assessment made and also the bill thereafter which was generated, the petitioner could file an appeal under Section 127 of

the Electricity Act, 2003.

4. Under such circumstances without interfering in the writ petition, we direct that if the petitioner is aggrieved by the electricity bill dated 31.05.2023 with regard to Rs. 51,289/-, he may raise a dispute with regard to it under Clause 6.5 of the Electricity Code and with regard to the demand notice which had been issued with regard to the theft of electricity which was to the tune of Rs. 1,05,494/- and was dated 31.05.2023 the petitioner can approach the Appellate Authority under Section 127 of the Electricity Act, 2003.

5. With these observations, the writ petition is accordingly, **disposed of.**

Order Date :- 30.10.2023

M.S. Ansari

(Manoj Bajaj, J.) (Siddhartha Varma, J.)