

GAHC010183532024



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C)/4536/2024**

SANGITA CHUTIA  
W/O- SRI ANIL CHUTIA,  
R/O- DHEMAJI RUP NAGAR,  
P.O. AND P.S.- DHEMAJI,  
DIST.- DHEMAJI, ASSAM, PIN- 787057.

VERSUS

THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM AND 3 ORS  
POWER (ELECTRICITY) DEPARTMENT, ASSAM,  
DISPUR, GUWAHATI- 781006.

2:THE CHAIRMAN  
ASSAM STATE ELECTRICITY BOARD  
4TH FLOOR  
BIJULEE BHAWAN

PALTAN BAZAR  
PIN CODE- 781001.

3:THE DIRECTOR OF ASSAM POWER DISTRIBUTION COMPANY LIMITED  
(APDCL)  
5TH FLOOR  
BIJULEE BHAWAN

PALTAN BAZAR  
PIN CODE- 781001.

4:THE CHIEF EXECUTIVE OFFICER  
APDCL  
NORTH LAKHIMPUR ELECTRICAL CIRCLE  
NORTH LAKHIMPUR

PIN CODE- 787001

**Advocate for the Petitioner** : MR. I H SAIKIA, MR. M R CHOUDHURY, MR. B BORAH, MR. K KALITA

**Advocate for the Respondent** : SC, APDCL,

**BEFORE  
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**ORDER**

**25.09.2024**

Heard Mr. M.R. Choudhury, learned counsel for the petitioner. Also heard Mr. R. Bora, learned Standing Counsel, APDCL. Mr. S.K. Medhi, learned CGC appears for the respondent No.1.

2. The petitioner is a consumer of electricity vide consumer ID No.231000061228, which is in the name of her husband, Sri Anil Chutia. The grievance of the petitioner is that her electricity connection was disconnected without giving reasons for the same and without any prior notice. The petitioner's prayer is for restoration of the electricity connection.

3. The petitioner's counsel submits that the dues of the petitioner, as calculated by the APDCL authorities, was approximately Rs.63,145/-. However, in terms of the order dated 06.09.2024 passed by this Court, the petitioner deposited Rs.30,000/- out of Rs.63,145/- arrear amount. He submits that the electricity connection has been restored. He prays that the petitioner may be allowed to pay the balance amount of Rs.33,145/- to the APDCL in 4 monthly instalments.

4. Mr. R. Bora, learned Standing Counsel, APDCL submits that there was a case of theft of electricity, which was reported and when the officials visited the site, they

were assaulted. He however submits that he does not have any objection to the payment of the arrear amount being made through instalments, as per instructions from his clients. He further submits that the petitioner can also deposit Rs.20,000/- to compound the charge/offence, if so advised or else separate criminal prosecution could be faced by the petitioner.

5. The petitioner's counsel submits that the petitioner is the lone sane person in the house, while all the other inmates of the house are persons with unsound mind.

6. I have heard the learned counsels for the parties.

7. As can be seen from the consent made by the counsels for the parties, the outstanding arrear/dues of Rs.33,145/- can be paid in 4 instalments by the petitioner to the APDCL. Accordingly, this Court directs the petitioner to pay Rs.8287/- to the APDCL on or before the 7<sup>th</sup> day of each month, starting from October, 2024 till final payment. The issue with regard to the payment of Rs.20,000/- as compound charges, is left to the discretion of the petitioner. In the event the petitioner does not pay the instalment amounts as per the time schedule, the APDCL is at liberty to take recourse to any action as per the Assam Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2017.

8. The writ petition is accordingly disposed of.

**JUDGE**

**Comparing Assistant**