

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18633 of 2014

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Sheo Pujan Rai, Son of Late Chandeshwar Rai, resident of Village - Saraiya
Gopal, P.S. - Patahi, District - East Champaran..... Petitioner.

Versus

1. The Chairman, Bihar State Power Holding Corporation, Bihar, Patna.
 2. The Executive Engineer, Bihar State Power Holding Corporation, Bihar,
Electric Supply Division, Motihari, East Champaran.
 3. The Assistant Engineer, Bihar State Power Holding Corporation
(Electric Supply Sub Division), Dhaka, East Champaran... Respondents
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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh, Advocate
: Mr. Akhileshwar Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 31-08-2015 Heard learned counsel for the petitioner and the learned
counsel appearing for Bihar State Power Holding Corporation.

2. The petitioner seeks restoration of electric connection in
the name of Dharichhan Rai, son of original consumer, namely,
Late Jagdish Rai.

3. One Jagdish Rai was the original consumer bearing
consumer no. 54/502339.

4. The petitioner is the grand son of late Jagdish Rai, son of
late Chandeshwar Rai.

5. On 12.07.2013, a raid was conducted on the premises of
the petitioner, and the accused persons including the petitioner
were found drawing electricity unauthorizedly with the aid of
Toka, which as per the Power Holding Company caused loss
amounting to Rs.75,097/- by each of the accused.

6. As theft was committed, a criminal case, bearing Patahi P.S. case no. 77 of 2013 under Section 379 of the I.P.C. and Section 135 of the Electricity Act was instituted.

7. The petitioner submits that his uncle Dharichhan Rai paid a total sum of Rs.75,097/- on 09.09.2013, still his electric connection has not restored. He further submits that even as per prosecution case, the unauthorized energy was being drawn with the aid of only one wire. However, all of them have been saddled with the punitive amount. He submits that every family member cannot be made to pay punitive bill separately, if it has already been paid by one of the members.

8. In my view, as a punitive bill has been raised, the petitioner should raise all his objections under Section 126 of the Electricity Act before the appropriate authority. In case, such objection is made, the same would be decided on its own merit.

9. No coercive steps would be taken against the petitioner till disposal of the objection.

10. This application stands disposed of.

(Samarendra Pratap Singh, J.)

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