

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4506 of 2013

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1. Ramanugrah Narain Singh Son Of Sri Madho Prasad Sinha Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 2. Ram Varan Mahto Son Of Hal Keshari Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 3. Amlesh Prasad Son Of Ragho Prasad Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 4. Jamuna Prasad Son Of Jaleshwari Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 5. Jai Ram Prasad Son Of Bipat Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 6. Ravindra Prasad Son Of Late Raghubir Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 7. Ram Bali Singh Son Of Hari Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 8. Shri Mahti Son Of Ashok Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 9. Vikram Prasad Son Of Mathura Prasad Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya
 10. Tulsi Prasad Son Of Sukhari Mahto Resident Of Village - Jhikatiya, P.S. - Praiya, District - Gaya

.... Petitioner/s

Versus

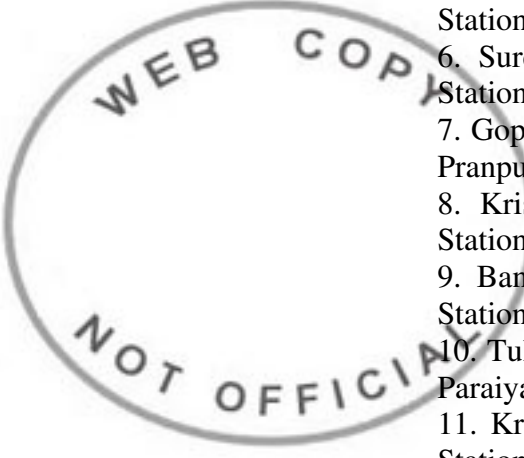
1. The State Of Bihar Through The Secretary, Department Of Energy, Government Of Bihar, Patna
2. Bihar State Power (Holding) Company Limited Through The Company Secretary, Vidyut Bhawan, Bailey Road, Patna
3. The Chirman-Cum-Managing Director, Bihar State Power (Holding) Company Limited, Vidyut Bhawa, Bailey Road, Patna
4. The Managing Director, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna
5. The Electrical Superintending Engineer, Department Of Electricity, Gaya
6. The Electrical Executive Engineer, Department Of Electricity, Gaya
7. The Assistant Electrical Engineer, Chandauti, Department Of Electricity, Gaya
8. The Electrical Junior Engineer, Department Of Electricity, Chandauti, Gaya

.... Respondent/s

with

Civil Writ Jurisdiction Case No.14867 of 2013

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1. Bhagwat Prasad Son Of Sri Ram Kishun Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 2. Ram Badan Mahto @ Ram Badan Prasad Son Of Dasarath Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 3. Chandrika Mahto Son Of Dasarath Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya

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4. Akhilesh Prasad Son Of Nathuni Prasad Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 5. Ram Dhan Mahto Son Of Lalit Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 6. Surendra Prasad Son Of Jamun Yadav Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 7. Gopal Prasad @ Gopal Yadav Son Of Ram Keshwar Yadav Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 8. Krishna Yadav Son Of Komal Yadav Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 9. Banwari Yadav Son Of Khewan Yadav Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 10. Tulsi Yadav Son Of Khidu Yadav Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 11. Krishna Deo Mahto Son Of Kali Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 12. Bharat Mahto Son Of Ram Charitar Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya
 13. Radho Mahto Son Of Ram Sila Mahto Resident Of Pranpur, Police Station- Paraiya, District- Gaya

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Department Of Energy, Government Of Bihar, Patna
2. Bihar State Power (Holding) Company Limited Through The Company Secretary, Vidyut Bhawan, Bailey Road, Patna
3. The Chairman-Cum-Managing Director, Bihar State Power (Holding) Company Limited, Vidyut Bhawan, Bailey Road, Patna
4. The Managing Director, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna
5. The Electrical Superintending Engineer, Gaya
6. The Electrical Executive Engineer, Gaya
7. The Assistant Electrical Engineer, Chandauti, Gaya
8. The Electrical Junior Engineer, Chandauti, Gaya

.... Respondent/s

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Appearance :

(In CWJC No.4506 of 2013)

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary.
 For the Respondent/s : Mr. Anand Kumar Ojha, Advocate
 For the State : Mr. SC 23

(In CWJC No.14867 of 2013)

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary
 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

6 03-09-2015 Both the writ applications have been taken up together for disposal.

In C.W.J.C. No.4506 of 2013 there are ten petitioners whereas in C.W.J.C. No. 14867 of 2013 there are 13 petitioners. All the petitioners claim to be the farmers. Their case is that on 22.3.1990 the Bihar State Electricity Board for the welfare of small time farmers took a decision to waive off 75% electric dues, in case the remaining 25% is paid by March, 1990. The petitioners state that in terms of the said decision of the Bihar State Electricity Board dated 22.3.1990, they deposited 25% of the dues. The petitioners further submit that the notification carried out further assurance that after January,1990 no electricity bill would be chargeable to agricultural consumers who have less than 10 acres of land. The petitioners state that they have less than 10 acres of land and they are agricultural farmers, still heavy bills have been raised against them.

Learned counsel for the Board submits that it was subsequently noticed that the villagers misused the relaxation which was granted to help the small farmers. He submits that many persons who would not qualify under notification begun to stake their claim under the said notification and as such the notification was withdrawn at the behest of the State

Government. The said withdrawal was challenged unsuccessfully upto the Hon'ble Apex Court.

In my view, the petitioners have alternative remedy before the Consumer Grievance Redressal Forum. The petitioners would be at liberty to raise their grievance before the learned forum. It will be open for the petitioners to make an interim prayer before the learned Forum.

With the aforesaid observations and directions, these writ applications stands disposed of.

(Samarendra Pratap Singh, J)

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