

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21772 of 2013

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1. Ganesh Prasad @ Ganesh Sao
 2. Arun Kumar Gupta, son of Ganesh Prasad
- Both residents of Maliya Mahadeo, Permanent Address- Tithi Tal, Koiri Tola, P.S.- Alamganj, District- Patna.

.... Petitioners

Versus

1. The General Manager Cum Chief Engineer, PESU
2. Superintending Engineer, PESU, Patna
3. Assistant Electrical Engineer, PESU, Patna.
4. The Junior Engineer, PESU, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Respondent/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 30-11-2015 Heard learned counsel for the petitioner and the respondents.

Petitioner no.1 is father of petitioner no.2.

As per the respondents, the petitioner no.2 had a due of Rs.7865/- on his domestic connection bearing account no. 188123 and a further due of Rs.1,11,934/- in respect of commercial connection bearing account no. 215991. The petitioner is said to be abstracting energy directly from the main line, which gave rise to Alamganj P.S. case no. 318 of 2004 under Sections 135 and 138 of the Electricity Act, 2003.

The petitioner submits that as he had not paid the previous dues, a false allegation of tapping electric line directly

from the pole has been made, showing a loss of Rs.1,27,500/-.

In my view, the petitioner should file his objection before the Assessing Officer under Section 126 (3) of the Act.

It goes without saying that the respondents would serve a copy of the provisional assessment on the petitioner within a period of three weeks from today. Once the objection is filed, the Assessing Officer would proceed to dispose of the matter.

It will be open for the petitioner to make a prayer for interim order, which would be considered in accordance with law.

With the aforesaid observation, this application stands disposed of.

(Samarendra Pratap Singh, J.)

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