

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17403 of 2011

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Umesh Kumar Sharma S/O Late Saryug Sharma Resident Of Chunairi
Kuan , Phulwarisharif , Patna , Post Office + Police Station -
Phulwarisharif , District-Patna. Petitioner/s

Versus

1. The Bihar State Electricity Board , Patna, Through Its Chairman.
 2. The Chairman , The Bihar State Electricity Board , Patna.
 3. The Electrical Executive Engineer , Electric Supply Division , Patna (R)
At Phulwarisharif , Patna.
 4. Assistant Electric Engineer , Electric Supply, Sub-Division ,
Phulwarisharif (Rural) Patna.
 5. Junior Electrical Engineer , Electric Supply Sub-Division,
Phulwarisharif (Rural), Patna. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Shubh Narain Singh, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh, Advocate

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

3 11-08-2015 The petitioner seeks direction to the respondents to refund
a sum of Rs.3,39,075/- plus Rs.2,00,000/-, totaling Rs.5,39,075/-
with interest which the Board has wrongly and forcibly realized
in the name of punitive bill.

Case of the petitioner is that he applied for LTIS
connection with a sanctioned load of 10 HP in February, 2011.
He deposited the requisite security amount and completed other
formalities (Annexure 3 and 3A). However, the respondents
delayed the execution of agreement. He submits that on
29.7.2011, inspection team wrongly made accusation against
him that he was indulged in drawing electricity illegally from the
electric pole and asked to deposit Rs.3,39,075/-. The respondents

forced him to pay the aforesaid amount of Rs.5,39,075/- which he deposited under protest on 30.7.2011.

Counter affidavit has been while denying the allegation stating that in course of inspection the petitioner was found drawing energy using illegal means. Learned counsel for the respondents submits that the petitioner has the remedy of appeal under section 126 of the Electricity Act against the punitive bill.

If the petitioner files fresh representation in terms of section 126 of the Electricity Act, the same would be disposed of within six months by speaking order.

Deposit of money as well as differences of amount may be adjusted or refunded, if the allegations are found not correct.

(Samarendra Pratap Singh, J)

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