

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9916 of 2014

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Suresh Kumar, son of Late V.K. Vishwakarma, resident of 'Vishwakarma Building', Pathar Gali, Mithapur, B-Area, P.O. - GPO, P.S. - Jakkanpur, District/Town - Patna.

.... Petitioner

Versus

1. The Bihar State Power Holding Company Ltd. Vidyut Bhawan, Bailey Road, Patna through its Chairman-cum-Managing Director.
2. The South Bihar Power Distribution Company Ltd. through its Managing Director, Vidyut Bhawan, Bailey Road, Patna.
3. The Electrical Executive Engineer, South Bihar Power Distribution Company Ltd., Supply Division, Gardanibagh, Patna.
4. The Assessing Officer-cum-Assistant Electrical Engineer, Electric Supply Sub-Division, Jakkanpur, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mukesh Prasad Singh, Adv.

For the Respondent/s : Mr. A.K.Ojha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-02-2016 Heard Sri Mukesh Prasad Singh, learned counsel for the petitioner and Sri A.K.Ojha, learned counsel for the Respondent/ South Bihar Power Distribution Company Ltd.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for directing the Respondents to restore the electric supply of the petitioner's premises, which was earlier disconnected.

It has been accepted that in respect of consumption of electricity and the meter installed in the premises, an F.I.R. was lodged for offence under Section 135 of the Electricity Act, 2003.



Thereafter, the petitioner applied for anticipatory bail in anticipation of arrest in Jakkanpur P.S. Case no. 192/2013. Subsequently, the petitioner was granted anticipatory bail and he also gave undertaking to deposit the loss amount in equal instalments. According to learned counsel for the petitioner, entire amount has already been deposited and, thereafter, he filed an application before the Assistant Electrical Engineer-cum-Assessing Officer (S.D.O.), South Bihar Power Distribution Co. Ltd. Supply Sub Division, Jakkanpur, Patna in the year 2013 itself. However, till date he has not received any communication from the end of the Assessing Officer. He submits that till date no order has been passed by the Assessing Officer.

In view of facts and circumstances, it was jointly submitted by learned counsel for the petitioner as well as Sri A.K.Ojha, learned counsel for the Respondent/ South Bihar Power Distribution Company Ltd that the writ petition may be disposed of with an observation/direction that the assessing officer may take appropriate decision on the petition of the petitioner expeditiously.

Accordingly, the writ petition stands disposed of with direction that the Assistant Electrical Engineer-cum- Assessing Officer may take final decision on Annexure-4 to the writ petition in accordance with law preferably within a period of six weeks

from the date of receipt /production of a copy of this order.

It goes without saying that if earlier the assessing officer had already passed order, in that event he will be obliged to communicate the said order to the petitioner within the aforesaid time.

(Rakesh Kumar, J)

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