

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15048 of 2014

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1. Bharat Sanchar Nigam Limited (B.S.N.L.) through Telecom, District Manager, Munger
2. The Telecom District Manager, B.S.N.L., Munger
3. The Asstt. General Manager Planning, B.S.N.L., Munger
4. The Sub Divisional Engineer (Gr.), B.S.N.L. Jhajha

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department, Govt. of Bihar, Patna
2. The South Bihar Power Distribution Corporation Ltd., (SBPDCL) through Managing Director, Bihar, Patna
3. The Managing Director, SBPDCL, Bihar, Patna
4. The Superintending Engineer, Electrical SBPDCL, Munger
5. The Executive Engineer, Electrical, SBPDCL, Jamui
6. The Asst. Electrical Engineer, SBPDCL, Electric Supply Sub-Division, Jhajha
7. The Junior Electrical Engineer, SBPDCL, Electric Supply Sub-Division, Jhajha

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad Singh

For the Respondent/s : Mr. Sc-15 Ajeet Pratap Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 18-07-2017 Heard the parties.

Learned counsel for the petitioners submits that in the counter-affidavit a summary of dues has been given being Annexure C/1. It is further submitted on behalf of the petitioners that there is no dispute with regard to the bills up-to December, 2005. So far as the rest amount is concerned, the petitioners seriously dispute the same and submit that there appears to be no rationale in the billing of the power holding company and they must clearly explain the bills so raised by them. So far as bills till December, 2005 are concerned, the BSNL shall deposit the said



amount within a period of ten days from today. Within the said period, the authorities of the South Bihar Power Distribution Corporation Ltd. shall recalculate year-wise and furnish details of the bills to the petitioners.

Learned counsel appearing on behalf of South Bihar Power Holding Company, however, submits that there are several disputed questions of fact which have not been brought before this Court in the present writ application. He further submits that the petitioners (consumers) had also not applied for mutation of their names after the BSNL took over and the bills which were raised by the Electricity Board (now, the South Bihar Power Holding Corporation Ltd.) are wholly in accordance with law and the provisions of the Electricity Act. He further submits that in view of the serious nature of dispute of the bills raised by the respondents, the only remedy available to the petitioners is to file a representation before the Consumer Grievance Redressal Forum constituted under Section 42(5) of the Electricity Act, 2003. Since the grievance is already stale, it would be advisable and in the interest of justice of the petitioners to approach the appropriate authority for redressal of their grievance within a period of one month from receipt/production of a copy of this order. The said grievance of the petitioners be then considered in accordance with law by the Redressal Forum, subject to the condition that they



shall deposit the admitted dues up-to December, 2005.

With the aforesaid direction, the writ application stands
disposed of.

(Anjana Mishra, J)

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