

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5735 of 2018

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Upendra Kumar Sinha, son of late Sukhdeo Prasad Verma, r/o. moh. Mohanpur Road, Beside Chandana Petrol Pump. P.S. Samastipur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Deptt., Govt. of Bihar, Patna.
2. The Chairman-cum- Managing Director, Bihar State Power Holding Corporation, Bidhyut Bhawan, Bailey Road, Patna.
3. The North Bihar Power Distribution Corporation Ltd through its Managing Director, Bidhyut Bhawan, Bailey Road, Patna.
4. The Managing Director, North Bihar Power Distribution Corporation Ltd. Bidhyut Bhawan, Patna.
5. The Electrical Superintending Engineer, North Bihar Power Distribution Corporation Ltd. Electric Supply, Samastipur.
6. The Electrical Executive Engineer, Electric Supply Division, Samastipur.
7. The Asstt. Electrical Engineer, Electric Supply Division (Town), Samastipur.
8. The Junior Engineer, Electric Supply Division, Town, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Adv

For the Respondent/s : Mr. ABBAS HAIDER-SC6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 02-04-2018

The present writ petition has been filed for the following reliefs –

- I. *For issuance of appropriate writ/writs, order/orders, direction/directions commanding the concerned respondent authorities to immediately make necessary correction in the electricity bill of the petitioner which is erroneously given to the petitioner from May, 2014 and despite giving continuously applications for correction in his electricity bill no steps has been taken till date on his applications by the respondent authority for correction of the same and Delay Payment Surcharge (DPS) has been imposed on the petitioner for not depositing the wrong bills.*
- (ii) *For a direction to the respondent concerned to prepare the electricity bill of the petitioner as per actual consumption of electricity excluding the DPS with*



further direction to refund the overpaid amount or adjust the same in future bill.

- (iii) For issuance of appropriate writ/writs, order/orders, direction/directions to the concerned respondents authorities to fix the responsibility and accountability of the person concerned who is authorized and competent to look into the grievances of the petitioner but failed to discharge his duty on the applications filed by the petitioner.*
- (iv) For a direction to pay the cost of litigation along with compensation for the mental and physical agony.*
- (v) For any other relief/reliefs to which the petitioner is found entitled under the facts and circumstances of the present case.*

2. At the very outset learned counsel for the petitioner fairly accepts that statutory remedy by approaching the CGRF is available under Section 42(5) of the Electricity Act for redressal of his grievances.

3. This Court therefore, is not inclined to enter into the merits of the matter. The writ petition stands disposed of with liberty to the petitioner to approach the CGRF with an appropriate application for redressal of his grievances. If any such application is filed, the same shall be considered and disposed of in accordance with law.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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