

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13395 of 2015

1. M/s Jai Maa Durga Plastics through its Proprietor
2. Ajit Kumar, Proprietor, M/s Jai Maa Durga Plastics, son of Sri Suresh Prasad, At present residing at House of Sri Ramesh Prasad, Jangi Ka Chouraha, Mogalpur, Gulzarbagh, P.S. Alamganj, Patna – 800 007
... .. Petitioners

Versus

1. South Bihar Power Distribution Company Limited through its Managing Director.
2. Secretary, South Bihar Power Distribution Company Limited.
3. Executive Electrical Engineer, Electric Supply Sub-Division, Kankerbagh (PESU), Patna – 800 020.
4. Assistant Electrical Engineer, Electric Supply Sub-Division, Kankerbagh (PESU), Patna – 800 020
... .. Respondents

Appearance :

For the Petitioners : Mr. Rajan Ghoshrahe, Advocate
For the Respondents : Mr. Vinay Kirti Singh, Sr. Advocate
Mr. Vijay Kr. Verma,
Mr. Akhileshwar Singh, Advocates

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 26-11-2018

The present writ petition has been filed for quashing the order of provisional assessment as contained in Letter No. 250 dated 07/08/2012 (Annexure-3) passed by Respondent No. 4 by which the Respondent Authorities imposed Rs. 11,00,000/- by way of penalty upon the petitioner no. 2; and further to quash the order of final assessment as contained in Letter No. 360 dated 09/10/2012 (Annexure-5) passed by Respondent No. 4 by which the Petitioner No. 2 has been directed to deposit the said provisionally assessed amount in the office of the Respondent No. 4; and for connected reliefs.

2. At the very outset, this Court takes note that the final assessment order dated 09.10.2012 was amenable to statutory appeal



under Section 127 of the Electricity Act, 2003 which admittedly the petitioner-Company has not availed but instead has straightway approached this Court with present writ petition preferred on 25.08.2015.

3. In the above view of the matter, this Court is not inclined to enter into the merits of the matter. The writ petition stands disposed of with liberty to the petitioner-Company to approach the appellate authority for redressal of its grievances in accordance with law.

BT/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.11.2018
Transmission Date	N.A.

