

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22277 of 2014

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Raju Yadav Son of Late Kailash Prasad, resident of Mohalla - Baba Chowk,
North Patel Nagar, P.S. Shastri Nagar, District - Patna

.... Petitioner

Versus

1. The South Bihar State Power Holding Distribution Company Ltd., Vidyut Bhawan -I, Bailey Road, Patna
2. The Electrical Executive Engineer, Electric Supply Division, New Capital, PESU, Mangles Road, Patna
3. The Assistant Electrical Engineer (Revenue), Electric Supply Division, New Capital, PESU, Mangles Road, Patna
4. The Assistant Electrical Engineer, Electric Supply Sub-Division, Board Colony, PESU (W), B.S.E.B. Colony, Shastri Nagar, Patna - 23

.... Respondents

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Appearance :

For the Petitioner : Mr. Mani Bhushan Prasad, Advocate.

For the Respondents : Mr. Prakash Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-10-2018

The present writ petition has been filed for quashing the order dated 20.10.2014 passed by Ombudsman in Appeal Case No. 10/2012 and inspection report dated 22.10.2010 by which the Ombudsman directed the respondents to revise the bill on 121 H.P. Load from the date of connection as per guidelines given in Annexure-7(A)(3) appended to the Bihar Electricity Supply Code, 2007, no DPS will be charged.

2. Learned counsel for the petitioner submits that the Ombudsman has erred in directing the respondents to revise the bill on



the basis of 121 H.P. Load from the date of connection itself namely 03.03.2010 when the petitioner was sanctioned load of 90 H.P., whereas the inspection was carried out much later on 22.10.2010.

3. Having heard the parties, this Court finds that no material has been placed in the writ petition to show the nature of dispute raised by the petitioner before the Ombudsman. The petitioner appears to be seeking a fresh consideration and decision on merits of his claim rather than showing any error in the decision making process in arriving at the decision by the Ombudsman. It is well settled that the writ Court does not sit in appeal over the decision of an authority while exercising powers in its writ jurisdiction.

4. This Court is therefore not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.10.2018
Transmission Date	N.A.

