

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17808 of 2017

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Gopichand Prasad @ Gopal Chand Prasad @ Gopichand Sahawadi, son of Late
Bal Govind Prasad Proprietor M.S. Jai Bajrang Bali Industries at Dularpur, P.S.
Udwant Nagar and District Bhojpur, Ara.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Energy, Govt. of Bihar, Patna.
2. The Principal Secretary, Deptt. of Industry, Govt. of Bihar, Patna.
3. The Chairman, Bihar State Electricity Board.
4. The Director, South Bihar Power Grid Corporation Ltd. Vidyut Bhawan, Patna.
5. The Executive Engineer, Supply Electricity Supply Division Bhojpur, Distt - Bhojpur (Ara).
6. The Sub-Divisional Engineer, Electricity Division, Bhojpur at Ara.
7. The Junior Engineer Electricity Supply Division, Bhojpur at Ara.

.... Respondents

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Appearance :

For the Petitioner : Dr. Anjani Pd. Singh, Advocate
For the Respondents : Mr. Kinkar Kumar – SC 9
For Power Company : Mr. Vijay Kr. Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-01-2018

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

“(i) For setting aside the notice under certificate debtor served to the petitioner in certificate case no. 05/2017-18 which has been issued by the Certificate Officer, Bhojpur at Ara.

(ii) For correction of Bill dated 16.09.2014 bearing consumer Id. No. 2919021 and consumer account No. UDN - 4230 which has been served to the petitioner without consuming any energy for Rs. 4,00,752/-.

(iii) For other reliefs, the petitioner is legally entitled to”.

2. At the very outset learned counsel for the petitioner accepts that he has not yet filed an objection petition under 9 of the



Bihar & Orissa Public Demand Recovery Act, 1914 (for short, “the PDR Act”) and seeks liberty to file the same.

3. Learned counsel for the respondent-South Bihar Power Distribution Company appears and has been heard. No objection is raised in respect of the prayer of the petitioner.

3. Having regard to the nature of the prayer made, the writ petition is disposed of granting liberty to the petitioner to file an objection petition under Section 9 of the PDR Act. If such an objection petition is filed before the Certificate Officer, Bhojpur at Ara within a period of two weeks from today, the same shall be considered and disposed of on its own merits and in accordance with law. It is further directed that no coercive action shall be taken by the Certificate Officer, Bhojpur at Ara in Certificate Case No. 05/2017-18 until disposal of the objection petition. In case however, the petitioner fails to file the objection petition within the stipulated period of two weeks, the Certificate Officer shall be at liberty to proceed with the certificate proceedings.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	07.01.2018
Transmission Date	N.A.

