

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.6759 of 2008

M/s Champion Ceramics Private Ltd. A company registered under the Indian Companies Act, 1956, Through its Director Prateek Agrawal, S/o Sajjan Agrawal, Aged about 27 years, R/o Korba Road, Champa, Distt. Janjgir-Champa (C.G.)

---- Petitioner

Versus

1. Chhattisgarh State Electricity Board, Through its Secretary, Danaganiya, Raipur (C.G.)
2. Electrical Lokpal, D-9, Electricity Board Premises, Gadhiari, Raipur (C.G.)
3. Electrical Consumer Complaint Redressal Forum, Bilaspur (C.G.) Through its President.
4. Chief Engineer (Bi.kshe.), Chhattisgarh Electricity Board, Bilaspur (C.G.)
5. Superintending Engineer (O&M), Chhattisgarh Electricity Board, Janjgir, Distt. Janjgir-Champa (C.G.)
6. Senior Accounts Officer, Chhattisgarh Electricity Board, Bilaspur (C.G.)

---- Respondents

For Petitioner: Mr. Rajeev Shrivastava and Mr. Gagan Tiwari, Advocates.
 For Respondents: Mr. Alok Bakshi, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/02/2018

1. Heard.
2. Learned counsel for the petitioner submits that the order passed by the Electricity Consumer Disputes Redressal Forum as well as by the Electricity Ombudsman in appeal are unsustainable and bad in law.
3. Learned counsel for the respondents would support the impugned order.

4. Two authorities have concurrently held that the meter equipment was changed on 29-8-2006 and new instrument was installed in the premises of the petitioner. Billing ought to have been made by applying the multiplier of 100, but erroneously, it was made by applying the multiplier of 33.3. Billing was made from September, 2006 to September, 2007 which was detected by the audit report and consequently, the error was rectified and by applying the multiplier of 100, supplementary bill has been issued.
5. After hearing learned counsel for the parties, I am of the considered opinion that the concurrent finding recorded by the two authorities holding that the incorrect multiplier adopted has been corrected and thereby supplementary bill has been issued, is a finding of fact based on the material available on record in which I do not find any jurisdictional error warranting interference under Article 226/227 of the Constitution of India. The writ petition deserves to be and is accordingly dismissed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge