

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition No.4515 of 2006

M/s. Champion Ceramics Private Ltd., A Company registered under the Indian Companies Act, 1956, Through its Director Prateek Agrawal, S/o Sajan Agrawal, Aged about 25 years, R/o Korba Road, Champa, District Janjgir-Champa (C.G.)

---- Petitioner

Versus

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

---- Respondents

For Petitioner: Mr. Rajeev Shrivastava and Mr. Gagan Tiwari, Advocates.
 For Respondents: None present, though served.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/02/2018

1. Heard.
2. The petitioner seeks to challenge legality and validity of the order passed by the Electricity Consumer Disputes Redressal Forum dismissing the complaint of the petitioner which was duly affirmed by the Electrical Lokpal by order dated 30-6-2006.
3. Learned counsel for the petitioner submits that concurrent finding recorded by the two authorities is perverse and contrary to the record,

as such, clause 14 of the agreement has not been complied with in passing the order.

4. No one appears for the respondents, though served.
5. The meter installed in the establishment of the petitioner was checked on 20-7-2005 and the meter was found defective, as B phase of the meter was not recording the consumption and it was replaced on 9-8-2005. According to the reading recorded for three prospective months, the average was taken and the bill of previous six months was revised. The matter was referred to the Electrical Inspector who submitted report concluding that the meter was not working for B element. The Electricity Consumer Disputes Redressal Forum considered the complaint and ordered that bill shall be prepared from February, 2005 to July, 2005 on the basis of average consumption from September, 2005 to November, 2005, which was said to have been complied with. In appeal by the petitioner, the Electrical Ombudsman has slightly modified the order and that order was also said to have been complied with and billing has been revised accordingly. The concurrent finding recorded by the two authorities revising the bill for the months from February, 2005 to July, 2005 on the basis of average consumption, is based on the material available on record and I do not find any merit in the writ petition. The writ petition deserves to be and is accordingly dismissed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge