

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17690 of 2018

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Ranju Kumari @ Ranju Devi W/o Awadesh Kumar, Resident of Village-
Guruchak, Fatehpur More, P.S.-Akbarpur, District-Nawada.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Energy Department,
Govt. Of Bihar
- 1a The South Bihar Power Distribution Co. Ltd. through it Managing Director,
Baily Road, Patna.
2. The Executive Electrical Engineer, South Bihar Power Distribution Co. Ltd.
Rajauli, District-Nawada
3. The Assistant Electric Engineer, Electric Supply Sub Division, Rajauli,
District-Nawada.
4. The Assessing Officer Cum Assistant Electric Engineer, Electric Supply
Sub Division, Rajauli, District-Nawada.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar Sinha, Advocate
For the State	:	Mr.Syed Hussain Majeed, A.C.to S.C.-6
For the BSEB	:	Mr. Kumar Priya Ranjan, Advocate
		Mr. Pallov, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioner as well as

learned counsel representing the Power Company and its

authorities.

Petitioner in the present case has moved for quashing
of the order dated 21.06.2018 issued under signature of
Assessing Officer-cum-Assistant Electrical Engineer, Electric
Supply Sub Division, Rajauli, District-Nawada by which a
provisional assessment order has been passed against the



petitioner for payment of amount of Rs. 3,52,294.

Although, learned counsel for the petitioner tried to submit with reference to Annexure '6' to the writ application that in the provisional assessment order the date on which the team is said to have conducted is 20.06.2018, therefore, it should be accepted that on 19.06.2018 no raid was conducted in the premises of the petitioner. Very soon learned counsel for the petitioner could realise that he cannot continue with that argument as apparently the date mentioned in the provisional assessment order seems to be a typographical error.

Learned counsel for the Power Company has taken the stand that raid was in fact conducted on 19.06.2018 and has to some extent explained in paragraph 4 of the counter affidavit.

After some argument, it has been ultimately agreed at the bar that so far as the challenge to the bill raised against the petitioner is concerned, the petitioner will challenge the same before the Consumer Grievance Redressal Forum in accordance with the provisions of the Electricity Act, 2003 (hereinafter referred to as the 'Act of 2003') and for that purpose liberty is available to the petitioner. For the present if the petitioner deposits a sum equal to 50% of Rs. 3,52,294 and continues to pay the current bills, the electricity connection of the petitioner



shall be restored and continued subject to final outcome of the case registered under Section 135 of the Act of 2003 and other legal proceedings.

Learned counsel for the petitioner has informed that a sum of Rs. 1,50,000/- has already been deposited with the Power Company at the time of grant of anticipatory bail in few installments on different dates which fact has been accepted by the learned counsel for the Power Company. It has been agreed that if the petitioner pays the further amount to make the total deposit equivalent to 50% of Rs. 3,52,294 the Power Company shall restore the connection immediately.

In the aforesaid view of the matter, the writ application is being disposed of by taking note of the statement made in the aforesaid terms which the parties will abide by.

(Rajeev Ranjan Prasad, J)

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