

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5764 of 2019

Shiv Prasan Gupta @ Shiv Parsan Gupta Son of Ganga Sah Resident of
Village- 39, Adamapur, P.S. Shivsagar, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of the Energy Department,
Bihar at Patna.
2. The M.D. of the South Bihar Power Distribution Co. Ltd Patna Division,
Patna.
3. The Executive Engineer, Electricity Department Bhabua, District- Kaimur at
Bhabua.
4. The Assistant Engineer, Electricity Department Kudra, District- Kaimur at
Bhabua.
5. The Junior Engineer, Electricity Department Kudra, Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Respondent/s : Mr.Abbas Haider (Sc6)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 02-12-2019 Heard the learned counsel for the parties.

The petitioner, though has approached this
Court for direction to the respondent / South Bihar
Power Distribution Company (hereinafter referred to as
"the Company" for short) to correct the electricity bill



which has been generated but along with the aforesaid prayer, has also asked for restraining the Company from disconnecting the electric line.

The additional prayer referred to above is in the nature of a preventive action preempting the company from taking any action as a consequence of non-payment of the bill, which, this Court is afraid, may not be passed.

However, from the facts averred in the writ petition and the counter affidavit, it appears that the petitioner has been regularly paying the consumption charges of electricity since December, 2018. All of a sudden, a bill of Rs. 10,00,000/- was generated, which caused immediate concern.

On the complaint made by the petitioner, the meter box was examined and it was found that because of intervention of the rodents, some of the essential components of the meter were left carbonized. Those parts were later replaced and thereafter the bill of Rs.



10,00,000/- was generated.

The petitioner has raised objection that no such meter reading could have been resorted to after changing the components of the meter and that bill of such amount *prima facie* was not correct in view of the past record of electrical energy consumed by the petitioner which was much less.

It has also been submitted that the petitioner has been continuing with the payment of electric bills since February, 2019 without any default.

Under the aforesaid circumstances, this Court deems it appropriate to direct the respondent / Company to make a rough assessment of the consumption of the electric energy for the month of January, 2019 and make it known to the petitioner so that the same could be paid. The rough assessment can very easily be made by taking the average of the general monthly consumption of the petitioner for last six months. The aforesaid assessment be made within a period of three



months. Till such time, that such an assessment is made, the petitioner shall not be insisted upon to pay the amount of the bill generated.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

skm/-

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