

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9373 of 2019

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Ajay Kumar S/o Satya Narayan Prasad Bhagat, Resident of Village - Bhagat
Petrol Pump, Harnaha, Police Station - Jamui, District - Jamui.

... .. Petitioner

Versus

1. The State of Bihar through the principal Secretary Department of Energy, Government of Bihar, Patna.
2. The Managing Director, South Bihar power Distribution, Co. Ltd. Bailey Road, Patna.
3. The Superintending, Engineer Electricity, Distribution Circle, Munger.
4. The Electrical Executive Engineer, Electric Distribution, Division, District - Jamui.
5. The Assistant Electrical Engineer, cum Assistant officer, Electricity, Distribution Sub-Division, District - Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amrendra Kumar, Advocate
For the State	:	Mr.Rakesh Ambastha, AC to AAG-7
For the Res. No. 2 to 5	:	Mr.Shrikant Sharan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 23-07-2019 This Court finds no reason to grant the reliefs prayed in the writ application. For the reason that the petitioner has an outstanding energy bill of Rs. 4,12,394/-. In the writ application the petitioner has not made any statement that against the said outstanding energy bill which had become due in the year 2015 and for which his electricity line was disconnected, he had raised any grievance before any forum.

In the counter affidavit the respondents have stated that a raid was conducted in the premises of the petitioner on 29.01.2018 by team of officials of the South Bihar Power



Distribution Company Ltd. and the inspecting team found that the petitioner was committing theft of electricity by putting hook (Tokka) in main L.T. line connecting through P.V.C. wire and due to this act of the petitioner the Power Company has suffered a loss. In this connection one case under Section 135 of the Electricity Act giving rise to Jamui P.S. Case No. 42 of 2018 has been registered.

It is also stated that for rectification of disputed bills, if any, no step has been taken by the petitioner in terms of the provisions as contained in Chapter 10 Clause 14 of the Electricity Supply Code, 2007, he cannot avoid payments thereof.

In course of hearing, learned counsel for the petitioner submits that the petitioner is ready to deposit 50% of the outstanding dues, however, regarding the rest 50% learned counsel submits that it may be made subject to the result of the criminal case.

Having heard learned counsel for the petitioner and the State, this Court is not willing to accept the submission of the learned counsel for the petitioner for a simple reason that the outstanding amount of Rs. 4,12,394/- is of the period 2014-15, the electricity line of the petitioner was disconnected on



26.01.2015 and so far as this amount is concerned the petitioner has not raised any dispute with respect to this amount. In these facts the question of issuing a direction to the respondents to provide/restore the electricity line of the petitioner on deposit of 50% of the bill only, is not acceptable. So far as the criminal case is concerned that is altogether a different issue and it is for the petitioner to seek his remedy against the same in accordance with law.

The writ application has, thus, no merit. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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