

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24662 of 2018

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Creative Valve Fitting, through its Proprietor Mohammed Samim, son of Mohammed Amin, resident of Shed No. 'C-6' Bela Industrial Estate, Police Station- Bela, town and district-Muzaffarpur.

... .. Petitioner/s

Versus

1. North Bihar Power Distribution Company Ltd., 'Vidyut Bhawan', Bailey Road, Patna-800021 through its Managing Director.
2. The Electrical Executive Engineer, North Bihar Power Distribution Company Ltd., Bela, Works Division, Ramdayalu Nagar, Muzaffarpur.
3. Assistant Electrical Engineer, North Bihar Power Distribution Company Ltd., Electric Supply Sub-Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Prasad
For the Respondent/s : Mr. Kumar Manish

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-01-2019 Heard Mr. Ajay Prasad, learned counsel representing the petitioner and Mr. Kumar Manish, learned counsel representing the North Bihar Power Distribution Company Ltd.

In the present writ application, the petitioner is praying for a direction to the respondent authorities to grant him new electric connection as a Low Tension Consumer to the petitioner's premises. It is the case of the petitioner that he has applied in the prescribed proforma along with requisite amount for electric connection vide Annexure-1 series.

Learned counsel representing the North Bihar Power Distribution Company Ltd. submits that there are some admitted facts in the present case. The petitioner admits that earlier he



had entered into an agreement for power supply and under the agreement he was liable to pay minimum guarantee charges. It is further admitted that the electricity was disconnected in the month of March, 2014 when the petitioner failed to pay the outstanding due electricity bill of Rs.62,444/-. It is submitted that, at this stage, the petitioner is not only liable to pay the outstanding amount as on March, 2014, but is also liable to pay the amount due under the agreement which would come to around few lacs of rupees.

At this stage, learned counsel for the petitioner submits that total outstanding is shown to be around two lacs rupees, but he would be ready to pay Rs.62,444/- which was due as on March, 2014. Learned counsel further submits that so far as the rest amount is concerned, he has moved to the Public Grievance Redressal Committee for redressal of his grievance and subject to any decision of that Committee he undertakes to pay rest of the amount.

Having heard learned counsel for the petitioner and learned counsel representing the Power Company, this Court is of the considered opinion that in the admitted facts of this case where the petitioner had entered into an agreement wherein he is liable to pay minimum guarantee charges and electricity



connection was disconnected in March, 2014 for an outstanding dues of Rs.62,444/-, this Court would not be willing to exercise its extra-ordinary writ jurisdiction to issue a writ of mandamus. The petitioner has an opportunity to make a representation before the respondent authorities to consider his request to provide electric connection on payment of Rs.62,444/- and subject to the decision of the Public Grievance Redressal Committee. The respondent authorities may consider the request of the petitioner in accordance with the norms and procedures which have been laid down in connection with these matters by the competent authority of the Power Company and in case the request of the petitioner comes within the zone of consideration in terms of the guidelines, the same may be considered and a decision be taken thereon within a period of 45 days from the date of receipt/production of a copy of this order.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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