

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5685 of 2020

M/s Govardhan Ispat (India) Pvt. Ltd. a company incorporated under the provisions of the Company's Act, 1956, having its registered Office at 2nd Floor, Bhuvneshwar Plaza, Budh Marg, P.S. - Kotwali, District- Patna, through one of its Directors, Binay Kumar Singh, Male, (Aged about 57 Years), S/o late Ram Kripal Singh, Resident of House No. 69, Patliputra Colony, Boring Road, P.S. Patliputra, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Main Secretariat, Patna.
2. The Principal Secretary, Department of Energy, Main Secretariat, Patna.
3. The Principal Secretary, Department of Industries, Government of Bihar, Vikash Bhavan, Bailey Road, Patna.
4. The Chairman cum Managing Director, Bihar State Power Holding Company Limited, Vidyut Bhavan, Bailey Road, Patna.
5. The Managing Director, South Bihar Power Distribution Company Ltd., 2nd Floor, Vidyut Bhavan, Bailey Road, Patna.
6. The Chief Engineer- Commercial, South Bihar Power Distribution Company Ltd., 2nd Floor, Vidyut Bhavan, Bailey Road, Patna.
7. The General Manager, Finance & Accounts, South Bihar Power Distribution Company Ltd., 2nd Floor, Vidyut Bhavan, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mohit Agarwal, Advocate
For the SBPDCL	:	Mr. Umesh Prasad Singh, Senior Advocate
		Mr. Vinay Kirti Singh, Senior Advocate
For the State	:	Mr. AC to SC 28

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

5 19-08-2020 The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Mohit Agarwal, learned counsel for the petitioner; Mr. Umesh Prasad Singh, learned senior counsel along with Mr. Vinay Kirti Singh, learned senior counsel for the



South Bihar Power Distribution Company Limited (hereinafter referred to as the 'Company') and learned AC to SC 28 for the State.

3. The petitioner has moved the Court for the following reliefs:

- (i) *For issuance of appropriate Writ(s) for quashing the Electricity Bill No. 10078894253 dt. 04.05.2020 as being wholly arbitrary and illegal and for direction to issue fresh bill for no charges as during the month of April, 2020 the electricity was not consumed as the factory did not run;*
- (ii) *For issuance of appropriate writ/direction to revise the Bill No. 10077232771 dt. 03.04.2020 for the month of March, 2020 by granting proportionate reduction in the demand charges for the period of actual consumption of energy by the Petitioner;*
- (iii) *For a direction upon the Respondents restraining it from taking any coercive measures for non payment of the bill for the month of April, 2020;*
- (iv) *For a direction upon the Respondents to grant adjustment after revising the bill for the month of March, 2020 to the extent of excess amount realized from the Petitioner by the Respondents even though the unit was closed due to lock down; and/or for any other relief(s) for which the Petitioner may be found entitled to in the facts and circumstances of the present case."*

4. At the outset, learned counsel for the Company submitted that as per the communication of the State Government in the Department of Energy dated 29.06.2020,



full rebate has been granted in payment of Fixed Charge for the months of April and May, 2020 and based thereon, fresh demand/bill of the petitioner has been raised by the Company. It was submitted that though the demand for such rebate was only for 5 weeks but the same has been granted for full two months.

5. Learned counsel for the petitioner does not controvert the position and submitted that in view of the development, the writ petition has become infructuous and he would not press the same.

6. Accordingly, the writ petition stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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