

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1720 of 2020

1. Avinash Ahuja, S/o Mr. D.D. Ahuja, Aged About 34 Years R/o Opposite Of SBI Bank, New Sarkanda, Bilaspur, District : Bilaspur, Chhattisgarh
2. Dwarikadhish Ahuja, S/o Late Shri Tahkandas, Aged About 62 Years R/o Opposite Of SBI Bank, New Sarkanda, Bilaspur, District : Bilaspur, Chhattisgarh
3. Meena Ahuja, W/o Mr. Ahsok Ahuja, Aged About 53 Years R/o Opposite Of SBI Bank, New Sarkanda, Bilaspur, District : Bilaspur, Chhattisgarh
4. Sanjay Ahuja, S/o Late Shri Kalyan Ahuja, Aged About 46 Years R/o Opposite Of SBI Bank, New Sarkanda, Bilaspur, District : Bilaspur, Chhattisgarh
5. Yogesh Ahuja, S/o Mr. Brijlal Ahuja, Aged About 44 Years R/o Opposite Of SBI Bank, New Sarkanda, Bilaspur, District : Bilaspur, Chhattisgarh

---- Petitioners

Versus

1. Chhattisgarh State Power Distribution Company Ltd. (C.S.P.D.C.L.) Through Managing Director, Head Office Daganiya, Raipur Chhattisgarh
2. Executive Engineer, C.S.P.D.C.L., Division Nehru Nagar, District Bilaspur Chhattisgarh
3. Executive Engineer, C.S.P.D.C.L., Division Dayalband, District : Bilaspur, Chhattisgarh

----- Respondents

For Petitioners	:	Mr. Arvind Shrivastava, Advocate
For Respondents	:	None

Hon'ble Shri Justice P. Sam Koshy
Order on Board

02.09.2020

1. The grievance of the petitioners seems to be the alleged bills which have been raised by the Respondents upon the petitioners showing that there are arrears of bill unpaid on the part of the petitioners.
2. That all the petitioners in the present writ petition have approached this Court seeking for a limited relief of a direction to the respondents to consider their respective representations that they have made, giving details of bills and previous payments made by them. According to the petitioners, there is no arrears left for the petitioners to be paid, yet however, the respondents have raised a bill showing arrears.
3. The counsel for the petitioners undertakes that subject to verification of the records, if the petitioners are still found to pay certain arrears, each of the petitioners shall abide-by the orders passed by the respondents reserving their rights of challenging the same, if it is not acceptable to the petitioners. The learned counsel for the petitioners further submits that let the respondents continue accepting the regular bills, which are raised and meanwhile the representations which each of the petitioners made, so far as the objection pertaining to the arrears part is concerned, be decided at the earliest. According to the counsel for the petitioners, all the bills which have been raised by the respondent-company till date have been duly cleared by each of the petitioners and the present bill showing

arrears of payment was never before raised by the respondents nor have they clarified in-any-manner as to the details of the arrears part that is how much arrears was left unpaid for which of the months etc. and it is this information, which has been sought for by the petitioners through their representations.

4. The contention of all the petitioners are that they have never ever defaulted in the payment of the bills that have been raised by the respondents hence they are surprised to get a bill now showing huge amount of arrears.
5. All that the demand of the petitioners are that as of now let the respondent no. 2 provide the details of the arrears so as to get the same verified and crossed checked from their records before making the payments.
6. Considering the total facts and circumstances of the case, this Court is of the opinion that the entire writ petition itself can be disposed off with a direction to the Respondent No. 1 and 2 to immediately process the representations that have been filed by the petitioners and, the respondent no. 2 may also provide the details of the calculation; so far as the arrears of unpaid bills, if any to the petitioners are concerned. Meanwhile, the respondents are directed to accept the regular payments to be made by the petitioners from the regular bills that would be raised by the respondent-company. Subject to the decision to be taken on the representations of the petitioners, the petitioners would be at liberty to either deposit the

arrears of bill as calculated or if they are aggrieved, they should challenge the same before the appropriate forum established under the Electricity Act dealing with disputes relating to electricity bills.

7. It is further ordered that as of now since each of the petitioners have already made their respective representations to the respective respondents and a decision on the same is yet to be taken, it is ordered that till the respondents take a decision on the representations of each of the petitioners, no coercive steps shall be taken against the petitioners for the arrears of the bills, which have been raised by the respondents.
8. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge