

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17601 of 2021

1. Ram Bhajan Singh Son of Late Ram Anuj Rai Resident of Village-Awasthighat, Police Station-Danapur, District-Patna, Pin Code-801503.
2. Maulvi Hassan Son of Late Dilawar Hussain Resident of -Nariyal Ghat Takiyapar, Police Station-Danapur, P.O.-Digha, District-patna, PIn Code-801503
3. Surendra Prasad Chaudhary Son of Late Laxmi Chaudhary Mohalla-Nariyal Ghat, Takiyapar, P.S.-Dnapur, P.O.-Digha, Distric- Patna, PIn Code-801503.
4. Sobha Devi Wife of Yoyendra Prasad Road No.-3, Chitrakut Nagar, Shivaji Gali P.S.-Danapur, P.O.-Digha, District-Patna.
5. Usha Sinha Wife of Arun Kumar Resident of Daya Chok Sahri, P.S.-Barh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary Bihar, Patna.
2. The Energy Department through Principal Secretary, Old Secretariat, Bihar, Patna.
3. The Bihar Electricity Board, through its Chairman Bidut Bhawan, Baily Road, Patna.
4. The Chairman Power Holding Coperation Ltd, Bihar, Patna.
5. The District Magistrate, Patna.
6. The Director General of Police Bihar-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar, Advocate
For the Company	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Vijay Kr. Verma, Advocate
		Mr. Akhileshwar Singh, Advocate
For the State		Mr. Kunal Tiwary, AC to GA 2

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-10-2021

Petitioner has prayed for the following relief(s):



- “I. To issue rule in the nature of Mandamus Commanding the respondent to restrain themselves from installation of pre-paid/Smart Metre replacing electronic metre, through out in the State of Bihar.
- II. To hold that the installation of Pre-paid Smart metre is unethical, illogical, punitive, anti people, unpracticable in the larger interest of the poor people of the State of Bihar.
- III. To command the respondent No 1 to 3 to allow, the previous electronic metre to Continue as usual, which is easily operational for general people of the State of Bihar.
- IV. To grant any other relief or reliefs to which the petitioner are legally entitled.”

Considering the nature of grievance raised in the application, we are of the considered view that it would be appropriate if the petitioner were to first approach the respondent authorities by way of filing representation.

The present application is, accordingly, disposed of reserving liberty to the petitioner to file appropriate representation before the appropriate authority within a period of four weeks. If such a representation is filed by the petitioner within the time stipulated, the authority concerned is directed to consider the same and dispose it of expeditiously and preferably within a period of three months thereafter. Needless to say that



while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petitions, if so required and desired.

With the aforesaid observations, this application is disposed of.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.10.2021
Transmission Date	

