

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1584 of 2022

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Alok Kumar son of Jagat Narayan Singh resident of M.I.G. 64, Housing Board Colony, Barari, P.S.- Barari, District- Bhagalpur, Proprietor of Model Foods and Bakery, D- 43, F-4 Part (BIADA)- Large Industrial Estate, Barari, Bhagalpur- 812003.

... .. Petitioner/s

Versus

1. The South Bihar Power Distribution Company Ltd. Bailey Road, Patna through its Managing Director.
2. The Managing Director, South Bihar Power Distribution Company Ltd., Bailey Road, Patna.
3. The General Manager, South Bihar Power Distribution Company Ltd., Bhagalpur.
4. The Executive Engineer, South Bihar Power Distribution Company Ltd., Electric Supply Division, Bhagalpur.
5. The Assistant Electrical Engineer, South Bihar Power Distribution Company Ltd., Electric Supply Sub- Division, Tilkamanjhi, Bhagalpur.
6. The Junior Electrical Engineer, Electric Supply Section, Tilkamanjhi, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate Mr. Suraj Kumar, Advocate Mr. Vijay Kumar Mukul, Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Advocate Mr. Kunal Tiwary, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

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(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

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Date : 18-11-2022



Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- i) For issuance of appropriate order/orders, direction/directions, writ/writs, preferably in the nature of Mandamus, commanding and directing the Respondent authority concerned to issue the fresh electric bill of the petitioner after modifying/rectifying the same on the basis of its actual consumption as per meter reading and adjusting the payment already made by the petitioner, in compliance of the order dated 08.08.2019 passed by the learned Chairman, Consumer Dispute Redressal Forum, Bhagalpur in Case No. 197/2017 so that petitioner may be able to clear the outstanding electric bill, if any, existing against the petitioner for the period from 12.10.2013 to 29.02.2020 as claimed by the Respondent Department.
- ii) For issuance of further direction to the Respondent authority concerned to restore the electric supply of petitioner bearing connection No. 23320024087/Consumer ID No. 102000024090 forthwith as the petitioner firm is suffering huge loss due to non-supply of electricity since 29.02.2020 on which date the electric supply of the petitioner has been



disconnected, but the Respondent authorities are sitting tight over the matter and despite repeated requests made by the petitioner that he is ready and willing to pay the electricity bill as per its actual consumption as per meter reading in the light of aforesaid order dated 08.08.2019 passed by the learned Chairman, Consumer Dispute Redressal Forum, Bhagalpur the authority concerned is not taking any steps in this matter

- iii) And/or for any other relief or reliefs to which the petitioner is found entitled to, in the facts and circumstances of the case.

Learned counsel for the petitioner submits that petitioner shall be content if he is permitted to approach Respondent No. 4, namely, the Executive Engineer, South Bihar Power Distribution Company Ltd., Electric Supply Division, Bhagalpur pointing out the grievances, subject matter of the present petition, with further direction to the said respondent to ensure that a fresh bill is issued after accounting for the issues raised by the petitioner and adjusting the amounts already paid.

Shri Vinay Kirti Singh, learned Senior Counsel



appearing on behalf of the respondents states that if the petitioner were to take such action, the appropriate authority shall positively take a decision within a period of one week thereafter.

In the event of the petitioner depositing the amount in terms of the fresh bill, electric connection be positively restored within 24 hours thereafter.

The present petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	21.11.2022
Transmission Date	

