

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3791 of 2020

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Shailendra Nath Singh, S/o Ramnaresh Singh, R/o Village-Ekma, P.S.-Ekma,
District-Saran at present r/o Vill-Mukhiya Jee Meket Ekma, P.S.-Ekma,
District-Saran.

... .. Petitioner

Versus

1. The Bihar State Power Holding Company Limited through its Chairman-cum-Managing Director, Vidyut Bhawan, Patna.
2. The North Bihar Power Distribution Company Limited through its Managing Director, Vidyut Bhawan, Patna.
3. The Superintending Engineer, North Bihar Power Distribution Company Limited, Electric Supply Circle, at Chapra.
4. The Executive Engineer, North Bihar Power Distribution Company Limited, Electric Supply Circle Saran, at Chapra.
5. The Junior Engineer, North Bihar Power Distribution Company Limited, Ekma Section, Electric Supply Circle Saran, at Ekma District-Saran.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Anant Kumar Bhaskar, Advocate
For the Respondents-NBPDCL: Mr. Vijay Kumar Verma, Advocate
Mr. Akhileshwar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

and

HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

Date : 18-07-2022

Heard learned counsel for the petitioner and
learned counsel for the respondents-North Bihar Power
Distribution Company Ltd.



2. In the instant writ petition, the petitioner has prayed for restoration of electric connection of the petitioner and correction of the electric bill.

3. The contention of the petitioner is that he had applied and was granted one NDS-2 category connection for a sanctioned load of 2 K.W. for a construction made at Ekma Bazar namely, Mukhiya Jee Market in February, 2015. His electricity consumption bill was faulty for which he was regularly making complain before the respondent authorities but no cognizance was taken by them on his complain/representation and ultimately the supply of electricity was disconnected on 22.02.2018.

4. The respondents have filed a counter affidavit wherein it is stated that an intimation was given to the petitioner on 08.03.2018 that his supply has been temporarily disconnected due to non-payment of electricity consumption bill amounting to Rs.50,946 (fifty thousand nine hundred and forty six) with effect from 22.02.2018. The petitioner was requested to pay the outstanding dues along with disconnection/re-connection charges so that the supply of electricity may be restored. After disconnection of the supply and receiving an intimation of temporary disconnection due outstanding, the



petitioner filed a complaint before the Public Grievance Redressal Officer, Chapra under the Bihar Right to Public Grievance Redressal Act, 2015 (for short 'the Act of 2015'). However, the complaint of the petitioner was rejected by the Public Grievance Redressal Officer, Chapra with observation that from the date of connection till the date of disconnection the petitioner had not deposited any amount with regard to consumption of electricity and, thus, his supply line was rightly disconnected by the Junior Electrical Engineer, Ekma and unless the petitioner deposits his outstanding dues, the connection of the petitioner cannot be restored.

5. Against the aforesaid order, the petitioner preferred an appeal before the 1st Appellate Authority under Section 7(1) of the Act of 2015. After hearing the parties on different dates, the 1st Appellate Authority disposed of the appeal with a direction to the Electrical Executive Engineer, Electric Supply Division, Saran, to dispose of the complaint of the petitioner after looking into his grievances. Being aggrieved by disposal of the 1st appeal, the petitioner filed an appeal before the 2nd Appellate Authority under Section 7(5) of the Act of 2015. The 2nd Appellate Authority called for a show cause report from the Electrical Executive Engineer, Electric Supply Division, Saran



on 09.10.2018 and after hearing the parties on several dates and after going through the report submitted by the Electrical Executive Engineer held that the bill on the basis of meter reading and unit consumed by the petitioner was rightly issued and no interference is required in respect of the complaint filed by the petitioner.

6. Being aggrieved by the rejection of the appeal by the 2nd Appellate Authority, the petitioner preferred revision application under section 9 of the Act of 2015 before the Revisional Officer-cum-Divisional Commissioner Saran, Division Chapra. After hearing the parties the Revisional Officer observed that the petitioner had failed to make payment of the consumed electricity charges and due to non-deposit of electricity bill amount, his connection was disconnected. Hence, the Revisional Officer held that no direction was required to be issued.

7. Based on the aforesaid pleadings made by the respondents, learned counsel for the respondents submitted that since the petitioner neglected to pay electricity charges due against him, no fault can be found in the action of the respondents whereby supply of electricity has been disconnected.



8. We have heard learned counsel for the parties and perused the materials available on record.

9. The petitioner has not controverted the pleadings made in the counter affidavit filed on behalf of the respondents.

10. The averments made in the counter affidavit would make it evident that the supply of electricity of the petitioner was dis-connected in view of default in payment of the dues by the petitioner to the respondents. The complaint made by the petitioner under the Act of 2015 was examined by the Public Grievance Redressal Officer, the 1st Appellate Authority, the 2nd Appellate Authority and Revisional Officer and they did not find any fault in the action of the respondents in disconnecting supply of electricity to the petitioner due to default in payment of electricity bill.

11. The law relating to generation, transmission, distribution, trading and use of electricity is contained in Section 56(1) of the Electricity Act 2003 provides that in case a person neglects to pay any sum due from him to licensee or a generating company in respect of supply, transmission, distribution or wheeling of electricity, the licensee or the generating company shall be empowered to disconnect such supply.



12. Under the facts and circumstances of the case, as discussed above and the provisions prescribed under section 56(1) of the Electricity Act, 2003, we see no merit in this application. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

(Dr. Anshuman, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26-07-2022
Transmission Date	NA

