

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4755 of 2018

Indrajesh Kumar Son of Prabhunath Singh, Resident of New Karman Tola,
Near Shanti Bhawan, P.S. P.O.- Nawada, Ara, District- Bhojpur - 802301.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Energy Department, Government of Bihar, New Secretariat, Bailey Road, Patn
3. The Bihar Electricity Regulatory Commission through its Chairman, having its office at Vidyut Bhawa
4. The Bihar State Power Holding Company having its Officer at Vidyut Bhawan-II, Ground Floor, Jawahar
5. The North Bihar Power Distribution company Limited having its Office at Vidyut Bhawan-II, Jawahar L
6. The South Bihar Power Distribution company Limited having its Officer at Vidyut Bhawan-II, Jawahar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Samdarshi, Advocate
For the Respondent/s	:	Mr. Rajani Kant Mishra, Advocate
		Mr. Laxman Lal Pandey, Advocate
		Mr.Yogendra Pd. Sinha- AAG7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-07-2022

Heard learned counsel for the parties.

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

- i. For holding and declaring that clause 2.42 of the Bihar Electricity Regulatory Commission (Consumer Grievance Redressal Forum, Electricity Ombudsman and Consumer Advocacy) Regulations, 2017 notified vide Notification No. 36 dated 09.10.2017 of the said Commission and published in the Bihar Gazette Extraordinary dated

23.02.2017 is ultra vires the provisions of section 30 of the Advocates Act, 1961 and also the provisions of the Electricity Act, 2003 specially sections 42(8) and 181 of the said Act.

- ii. For issuance of a Writ being a Writ in the nature of Mandamus directing respondents not to act upon and enforce the provisions of the above impugned clause 2.42 of the Bihar Electricity Regulatory Commission (Consumer Grievance Redressal Forum, Electricity Ombudsman and Consumer Advocacy) Regulations, 2017 in so far as it prohibits an advocate within the meaning of Advocates Act, 1961 to practice before the Electricity Consumer Grievance Redressal Forum constituted under section 42(5) of the Electricity Act, 2003 and clause 2.1 of the said Regulations.
- iii. For issuance of a Writ being a Writ in the nature of Mandamus, as a consequence of the above, directing the respondents to not to prohibit or impair the rights of an Advocate within the meaning of the Advocates Act, 1961 to practice also under Bihar Electricity Regulatory Commission (Consumer Grievance Redressal Forum, Electricity Ombudsman and Consumer Advocacy) Regulations, 2017 before the Electricity Consumer Grievance Redressal Forum constituted under section 42(5) of the Electricity Act, 2003 and clause 2.1 of the said Regulations.
- iv. For any other relief or reliefs, either independently or consequentially, in the facts and circumstances of the present case.

Learned counsel for the petitioner, under instructions from the petitioner, seeks permission to withdraw the petition for the same having become infructuous.

Permission granted.

The present petition stands dismissed as
withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	