

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12729 of 2022

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Dhrub Chaudhari, Son of Late Bam Bholi Chaudhari, resident of Ward No. 07, Simrahi, P.S. Raghapur, District Supaul.

... .. Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited Vidyut Bhawan, Bailey Road, Patna, through its Chairman-cum-Managing Director.
2. The North Bihar Power Distribution Company Limited Vidyut Bhawan, Bailey Road, Patna, through its Managing Director.
3. The Electrical Executive Engineer, North Bihar Power Distribution Company Limited, Raghapur, Supaul.
4. The Assistant Electrical Engineer, North Bihar Power Distribution Company Limited, Raghapur, Supaul.
5. The Junior Electrical Engineer, Electric Supply Division, Raghapur, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Suraj Samdarshi, Advocate Mr. Avinash Shekhar, Advocate Mr. Rajan Prakash, Advocate
For the Respondent/s	:	Mr.Vinay Kirti Singh, Sr. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(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.)

Date : 02-09-2022

Heard learned counsel for the parties.

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

- i) To issue an appropriate writ, order or direction in the nature of *Certiorari* for quashing of the Order dated 10.04.2021



Letter no. 417 issued by the respondent no. 04 the Junior Electrical Engineer, Electric Supply Division, Raghapur, purported to be the final assessment order as being wholly illegal, arbitrary and contrary and against the provisions of the Electricity Act, 2003 and the Bihar Electricity Supply Code, 2007.

- ii) To hold and adjudicate that the order dated 10.04.2021 has been passed in contravention to the the provisions of the Electricity Act, 2003 and the Bihar Electricity Supply Code, 2007.
- iii) For a direction to the respondent authorities to restore the electric supply of the petitioner which has been disconnected on the ground of allegation of theft of electricity; and for any other relief or reliefs to which the petitioners may be found entitled in the facts and circumstances of the case.

Having heard learned counsel for the parties, present petition is disposed of on the following mutually agreeable terms:-

(i) Petitioner shall apply for fresh connection in accordance with law, without prejudice to the respective rights and contentions and the outcome of the proceedings, which are pending before the adjudicatory authority;

(ii) Such application for fresh connection shall be processed and necessary action taken within a period of four



weeks thereafter;

(iii) Petitioner undertakes to pay the entire amount for installation of the said connection;

(iv) Petitioner shall pay the entire outstanding amount as demanded by the respondent-Department, but, however, the same shall be subject to the outcome of the adjudicatory proceedings.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.09.2022
Transmission Date	

