

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3713 of 2023

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Narendra Kumar Gupta S/o- Late Yogendra Prasad Resident of Tilak Chowk,
Ward No.-5, Distt.-Madhubani ... Petitioner

Versus

1. That Bihar State Electricity Board Vidyut Bhawan, Bailey Road, Patna through its Chairman.
 2. The General manager-Cum-Chief Engineer, Mithila Area Electricity Board, Lalbagh, Darbhanga.
 3. The Electrical Superintending Engineer, Darbhanga Electrical Division, Darbhanga.
 4. The Electrical Executive Engineer, Electric Supply Division, Bengaltola, Madhubani.
 5. The Assistant Electrical Engineer, Electric Supply Sub-Division, Benipatti, Madhubani.
 6. The Junior Electrical Engineer, Electrical Supply Sub-Division, Benipatti, Madhubani. ... Respondents
- =====

Appearance :

For the Petitioner : Mr. Rajendra Narain, Sr. Adv. with
Mr. Alok Ranjan, Adv.
For the Respondents : Mr. Vinay Kirti Singh, Sr. Adv. with
Akhileshwar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

7 30-08-2023 Heard learned counsel for the parties.

2. The present Writ Petition is filed for the following

relief(s) :

(a) An appropriate writ/order/direction be issued declaring the notice issued by Respondent No.-6 by which he has threatened the petitioner that his electricity connection be disconnected on 24.01.2022.

(b) An appropriate writ/order/direction be issued to declaring the notice dated-25.11.2022 (Annexure-3) issued by Respondent No.-5 the Assistant Electricity Engineer by which he has disconnected the electricity connection of the petitioner is illegal, invalid, null and void ab- initio and has been issued without jurisdiction.



(c) For issuance of an appropriate writ/order direction upon the respondents commanding them to restore the electricity connection of petitioner. During pendency of the present writ application.

(d) And any other relief or reliefs for which the petitioner be found entitled be granted in his favour.

3. At the outset the learned counsel appearing on behalf of the respondents has stated that the final assessment order has already been passed by the authority concerned on 06.03.2019 vide Letter No. 266 by the Assistant Electrical Engineer, Electric Supply Sub-Division, Madhubani. That the petitioner having failed to challenge the final assessment order, the Writ Petition in the present form is not maintainable and liable to be dismissed.

4. The counsel for the petitioner has not denied the above statement made by the counsel for the respondents.

5. Having regard to the above made submissions without going into the merits or demerits of the case and also having regard to the fact that the only grievance of the petitioner is for restoration of the electricity supply, the petitioner is directed to approach the CGRF under Section 45(2) of the Electricity Act, 2003, within a period of four weeks from the date of receipt of a copy of this order. The authorities



concerned are directed to restore the power supply subject to the petitioner paying 50% of the amount due as assessed by the authority vide notice, dated 24.01.2022 wherein an amount of Rs.15,98,315/- has been raised. In case the petitioner does not comply with the above direction the authorities are free to take action in accordance with law for recovery of the said amounts.

6. With the above directions, this writ petition is **disposed off.**

(A. Abhishek Reddy , J)

Shamshad/-

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