

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18486 of 2022

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M/S Trishul Electro Casting Private Limited a Company Incorporated under the Provisions of the Companies Act, 1956 having its Unit at Industrial Area, Bettiah, District West Champaran, through its Director, Rajesh Kumar Todi, aged 64 years, Son of Late Shambhu Nath Todi Resident of Ujjain Tola, Ward No. 35, Bettiah, P.S. Bettiah, District West Champaran- 845438

... .. 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 General Manager (Revenue), North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna,
4. The Electrical Superintending Engineer (H.T.Cell), North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna,
5. The Electrical Superintending Engineer, Electric Supply Circle, Motihari, District- East Champaran.
6. The Electrical Executive Engineer (H.T.Cell), North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna,

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-02-2023

Heard learned counsel for the parties.

The petitioner has prayed for the following relief(s):-

“1) For a direction to the respondent authorities and in particular respondent no. 4 to accept the proposal of the petitioner to pay the outstanding energy dues, in 24 equal monthly instalments,



along with delayed payment surcharge, considering the adverse business environment on account of COVID-19.

ii) This Hon'ble Court may further hold and declare that the proposal of the petitioner to pay the outstanding energy dues, in 24 equal monthly instalments, along with interest, in addition to the regular monthly energy charges is not prejudicial to the financial interest of the respondents.

iii) For a direction to the respondent authorities not to disconnect the electric supply of the petitioner, who is ready and willing to pay the outstanding energy dues in instalments.

iv) For a direction to the respondent authorities to consider the case of the petitioner sympathetically, as the outstanding dues is only account of irregular business activity arising out of COVID-19 crisis, which has been duly acknowledged by the Central Government as also the State Government.

v) To grant any other relief or reliefs for which the petitioner may be found entitled to in the facts and circumstances of the case.”

The total amount due and payable as on 05.09.2022 was Rs. 3,37,44,879. The figure is broadly indicative of the amount due and payable which is undisputed.

As prayed for, petitioner undertakes to deposit the entire outstanding amount along with interest accrued thereupon



in 12 equal instalments, spread over a period of 12 months.

In this view of the matter, we dispose of the present petition on the following mutually agreeable/acceptable terms:-

(a) The petitioner's undertaking is accepted and taken on record, consequence of breach thereof explained.

(b) The petitioner shall pay the entire outstanding amount along with interest accrued thereupon in 12 equal instalments spread over a period of 12 months, commencing from 8.2.2023.

(c) The petitioner undertakes to pay the current charges, as and when the bill is raised.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/Rajiv

AFR/NAFR	
CAV DATE	
Uploading Date	03.02.2023
Transmission Date	

