

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3596 of 2023

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Gopal Prasad Sah, Son of Late Banarsi Prasad Sah, Resident of Manas Kamna Nath Chowk, Kauakoli Lane, P.S. Nath Nagar, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of the Electrical Energy, Govt. of Bihar, Patna.
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The District Magistrate-cum-2nd Appellate Authority, Public Grievance Redressal Cell, Bhagalpur.
4. The Addl. Collector-cum-1st Appellate Authority, Public Grievance Redressal Cell, Bhagalpur.
5. The Sub-Divisional Officer-cum-Public Grievance Officer, Bhagalpur.
6. The Electrical Executive Engineer, Urban Electric Supply Division, South Bihar Power Distribution Company Limited, Bhagalpur.
7. The Electrical Sub-Divisional Officer, Electric Supply Division, South Bihar Power Distribution Company Limited, Bhagalpur.
8. The Electrical Junior Engineer, Electric Supply Section, South Bihar Power Distribution Company Limited, Champanagar, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar Singh, Adv.
For the Respondent/s	:	Mr.Kinkar Kumar (Sc9)
		Mr. Vinay Kirti Singh, Sr. Adv.
		Mr. Akhileshwar Singh, Adv.
		Mr. Vankatesh Kirti, Adv.

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

14 29-08-2024

Heard learned counsel for the parties.

2. The present writ petition has been filed for the following relief(s):-

“.....for quashing the order issued vide letter no. 3011 dated 26.12.2022 passed by the District Magistrate-cum-2nd Appellate Authority, Bhagalpur, whereby and where-under



the complaint bearing Misc. No. 9999901270422304972/2A with regard to the correction in the electric bill submitted by the petitioner through online (2nd Appeal) has been rejected and the petitioner was directed to pay the due electric bill in accordance with the law on the ground that the Electrical Executive Engineer, Urban, Bhagalpur did not find any infirmity or incorrectness in the electric bill in respect of the billed amount and also for issuance of a writ in the nature of Mandamus commanding the respondents to make correction in the wrong bill and also to get deposited the bill as per the meter reading after adjusting the amount deposited by the petitioner earlier and for any other relief or reliefs which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner has stated that the petitioner has applied for domestic electric connection in the year 2018. Thereafter the petitioner has received a bill for three months for an amount of Rs.1,00,219/- whereas he has consumed 311 units only. Though the petitioner has applied to the authorities concerned for correcting the bill they have failed to do so and subsequently the electricity connection given in the name of the petitioner was



disconnected. Learned counsel has stated that the authorities without verifying that the previous arrears standing in the name of another person Gopal Prasad Sah and under the mistaken impression that the petitioner and the said Gopal Prasad Sah are one and same, have shown an arrears of the said person in the bill of the petitioner. Though the petitioner has filed the complaint-objection before the Electrical Sub-Divisional Officer, Bhagalpur but the same was not entertained and dismissed. Thereafter, the petitioner has preferred an appeal before the District Magistrate-cum-2nd Appellate Authority, Bhagalpur and the said authority also dismissed the second appeal stating that the bill issued to the petitioner is correct. Learned counsel for the petitioner has stated that the Consumer No. 23330003535 is standing in the name of one Gopal Prasad Sah has been tagged to the petitioner, without there being any proof that the said consumer number belongs to the petitioner. Learned counsel seeks a direction from this Court to direct the Respondents to delete the arrears of bill pertaining to Consumer No. 23330003535 from that of the petitioner and issue a fresh bill on the correct meter reading and that the petitioner is ready to pay the same.

4. Per contra, learned counsel appearing on behalf of



the respondents has stated that the petitioner had earlier taken a connection in his name and subsequently the said connection was disconnected in the year 2013 due to non-payment of the electricity charges consumed. That the petitioner thereafter has applied for a fresh connection and the same was given to the petitioner. Subsequently when it came to light that there was arrears of charges standing in the name of the petitioner under the earlier consumer I.D. bearing Consumer No. 23330003535, the same were tagged to the bill under the new consumer I.D. of the petitioner. Learned counsel for the respondents has drawn the attention to the Court to the bill dated 30.11.2017 pertaining to consumer I.D. No. 23330003535 wherein the name of the petitioner along with the name of his father is recorded. Learned counsel has stated that the petitioner taking advantage of similar names in the same locality is trying to create confusion and contending that the previous connection bearing Consumer I.D. No. 23330003535 does not belong to him. However the bill filed by the petitioner along with the reply clearly demonstrate that the connection bearing Consumer No. 23330003535 and the new connections are standing in the name of the petitioner i.e. Gopal Prasad Sah S/O Banarshi Prasad Sah. Learned counsel has therefore prayed this Hon'ble Court to dismiss the present



writ petition.

5. Admittedly as seen from the bill dated 30.11.2017, the Consumer No. 23330003535 stands in the name of Gopal Prasad Sah S/O Banarshi Prasad Sah, who is none other than the father of the petitioner. The admitted dues as on 30.11.2017 are approximately Rs.95,659/-. It appears that the petitioner has taken a fresh connection in the year 2018 without disclosing the earlier connection standing in his name which was already disconnected for non-payment of the arrears. This Court does not find anything illegal or arbitrary in the action taken by the respondents for including the arrears of the electricity charges in the new bill that was issued to the petitioner.

6. Having regard to the same, this Court is not inclined to entertain the present writ petition. Accordingly, the present writ petition stands dismissed.

7. In case the petitioner pays the entire outstanding dues the authorities are directed to restore the power connection of the petitioner.

(A. Abhishek Reddy , J)

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