

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14319 of 2022

Chhathulal Sah @ C.L. Sah @ Chhathulal Prasad, Male, aged about 73 years,
son of Late Shivbhaju Prasad, resident of Mohalla-Mouna, Chapra, P.O.
Chapra, P.S. Chapra Town, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. Managing Director, North Bihar Power Distribution Company Limited Patna.
2. Electrical Executive Engineer, Electric Supply Division, Chapra (West), North Bihar Power Distribution Company Limited, Chapra, Saran.
3. Assistant Engineer (Revenue), Electric Supply Division, Chapra (West), North Bihar Power Distribution Company Limited, Chapra, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Prasad, Advocate.
For the Respondent/s : Mr. Vinay Kirti Singh, Advocate.
Mr. Akhileshwar Singh, Advocate.
Mr. Venkatesh Kirti, Advocate.

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

Date : 18-07-2024

Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“(i) For issuance of a direction tot he respondent authority to issue a fresh bill as per order and award passed by the Permanent Lok Adalat, Civil Court Compound, Saran Chapra in Case No. P. 09/2018 within stipulated period.



(ii) For issuance of a direction to the respondent authority to dispose of representation filed by the petitioner as several representations have been filed by the petitioner with regard to issue a revised bill in pursuance of order passed by Permanent Lok Adalat bearing Case No. P. 09/2018 Chhathulal Sah Vs. The Executive Engineer, Saran Chapra.”

3. Learned counsel appearing on behalf of the petitioner has stated that the petitioner was given an electricity connection in the year, 2010. That in the month of August, 2016 the Respondent-Corporation has issued a bill for an amount of Rs. 6,34,150/- by enhancing the unit charge from Rs. 10,523/- to Rs. 1,05,379/-. Thereafter, the petitioner has filed a representation before the Secretary of the Permanent Lok-Adalat and a case bearing No. P. 09 of 2018 was instituted. That after receipt of the notice from the Permanent Lok-Adalat, the Executive Engineer of the Respondent-Corporation had appeared before the Permanent Lok Adalat and the Permanent Lok-Adalat on 28.06.2018 directed the Respondent-Corporation to deduct the entire surcharge and issue a correct bill but till date the petitioner has not been issued the correct bill. Therefore, learned counsel prays this Hon'ble Court to directed the Respondent-Corporation to issue the correct bill.



4. Per contra, the learned counsel appearing on behalf of the Respondent-Corporation has vehemently opposed the very maintainability of the present writ petition. Learned counsel has stated that the Permanent Lok-Adalat did not have the jurisdiction to pass any order and in case, the petitioner had any grievance with the bill, his remedy was to approach the authorities or before the CGRF but the petitioner failed to do so. Learned counsel has stated that there are disputed questions of fact which cannot be gone into by this Court. Therefore, prayed this Hon'ble Court to relegate the petitioner to the proper forum and dismiss the present writ petition.

5. Having regard to the peculiar facts and circumstances of this particular case, this Court is of the opinion that the ends of justice would be served if the petitioner is directed to make a fresh representation to the authority concerned bringing to their notice, the discrepancy in the bill issued in the month of August, 2016 within a period of four weeks from the date of the receipt of the copy of this order. On receipt of the representation, the authorities shall issue the statement of account duly containing the actual consumption of the units as per the actual meter reading, the monthly charges levied, the arrears of charges excluding the delayed payments



surcharge, the delayed payment surcharge levied separately and the total bill amount payable by the petitioner. On receipt of the same, the petitioner, if he is aggrieved by the said electricity bill is permitted to approach the CGRF/Ombudsman appointed under the Electricity Code. Till such time, the authorities issue the statement as directed by this Court, no coercive action shall be taken against the petitioner. The petitioner shall continue to pay the actual monthly electricity charges as levied by the authorities. The entire exercise shall be completed as expeditiously as possible preferably within a period of four weeks from the date of the receipt of the representation made by the petitioner.

6. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

shakir/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.09.2024
Transmission Date	NA

