

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13933 of 2017

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Rajeev Kumar Giri S/o Late Shivji Giri, Resident of Village- Uttari Hazipur,
Yasoda Nagar, Ward No. 13, Near Sadar Hospital, P.S. Chitragupt Nagar,
District- Khagaria.

... .. Petitioner/s

Versus

1. The North Bihar Power Distribution Company Limited, Patna through
Managing Director, Vidut Bhawan Bailey Road, Patna
2. The Managing Director, the North Bihar Power Distribution Company
Limited Vidyut Bhawan, Bailey Road, Patna
3. The Executive Engineer, Electricity Supply, North Bihar Power Distribution
Company Limited, Division, Khagaria
4. The Assistant Electric Engineer, Electric Supply Sub- Division Urban North
Town, North Bihar Distribution company Ltd. Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	M/s Kumar Priya Ranjan, Addl. SC
		Sudarshan Bharadwaj
		Sandeep Kumar, Advocaes

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 28-08-2025

1. The Writ petition has prayed for the
following reliefs:-

*“ For issuance of an
appropriate writ and/or order and/or
direction for quashing the letter no.
322 dt. 15.02.17 issued by the
Electrical Executive Engineer, Khagaria
by which the Electrical Executive
Engineer, Khagaria again issued a
wrong bill after adjusting the amount*



deposited (Rs. 21708/-) by the petitioner against the wrong bill issued by the respondents. The amount deposited has wrongly been adjusted. The petitioner further prays that a direction be given the respondents for correction of electricity bill from March 2011 to February 2015 as per consumption of electricity by the petitioner or an average basis without charging the delay payment sarcharge (DPS) as the bill for the aforesaid period has not been supplied due to fault in the part of the respondents. The petitioner also prays for direction to the respondents for return of the excess amount paid to the respondents with interest after adjustment of electricity bill for the abovesaid period (March 2011 to February 2015)."

2. The case of the petitioner, in brief, is that the petitioner is the son of a deceased consumer of respondent North Bihar Power Distribution Company Limited bearing Consumer No. CR/DS/162, seeks quashing of Letter No. 322



dated 15.02.2017 issued by the Electrical Executive Engineer, Khagaria, and correction of the electricity bill for the period March 2011 to February 2015, without charging Delay Payment Surcharge (DPS). It is Submitted that after disconnection in the month of March 2011, due to arrears, the connection was restored upon payment of Rs. 4,000, and a new meter No. 050698 was installed. However, no bills were issued till January, 2015. It is further submitted that in the month of February 2015, an inflated bill of Rs. 63,635 was issued, erroneously mentioning the old meter number, thereafter, a revised bill of Rs. 10,634 was later issued in the month of March, 2015 referencing the old meter number. The petitioner paid this amount believing the issue had been resolved.

3. It is further submitted that in the month of July 2015, the meter was again changed to Meter No. 4336600, yet another inflated bill of Rs. 61,809 was issued in the month of December 2015, reflecting accumulated consumption and



DPS. It is further submitted that despite payments totaling Rs. 21,708, the electricity was disconnected in the month of May 2016 for alleged non-payment.

4. The Learned counsel for the petitioner submitted that the petitioner approached the District Public Grievance Redressal Officer, Khagaria, where the respondent acknowledged lapses on the part of billing agency and stated that Rs. 21,080 had been reduced from the bill. The officer directed issuance of a corrected bill and restoration of supply.

5. It is contended that based on non-compliance with the aforesaid direction, the petitioner filed CWJC No. 23 of 2017 before this Hon'ble Court, which directed the Executive Engineer to redress the grievance and to issue a corrected bill. It is further contended that the petitioner appeared and submitted documents as directed, but no proper corrected bill was issued. Subsequently, the petitioner received another demand of Rs. 30,964, allegedly without clearly



showing prior payment adjustments.

6. It is submitted that dissatisfied with the aforesaid demand, the petitioner filed the present writ petition for quashing of Letter No. 322 dated 15.02.2017 and for issuance of appropriate directions regarding correction of bills without DPS and for restoration of supply.

7. A detailed counter affidavit was filed on behalf of the respondents wherein it is stated that the the present writ is barred by the Principle of *res judicata* as the petitioner had earlier approached this Hon'ble Court in CWJC No. 23 of 2017 for the same cause, which was disposed of on 02.02.2017. The relevant part of the order is quoted hereinbelow:

“In the nature of the grievance raised herein, I would direct the petitioner to appear before the Executive Engineer, Electricity Supply Division, Khagaria (respondent no.3) on Monday i.e. 6.2.2017 at 11:00 AM and when he shall consider the grievance of



the petitioner as noted hereinabove ensure issuance of rectified bill and no sooner the petitioner makes payment of the same, that his electricity line is restored within 24 hours thereafter.

The writ petition is disposed of accordingly.”

8. It is further submitted that the petitioner has also filed MJC No. 747 of 2017, which was disposed of vide order dated 16.08.2017. The relevant part of the order is quoted here:

“By the order passed on the writ petition the Executive Engineer was directed to consider the grievance of the petitioner and issue the rectified bill. It was further directed that no sooner the petitioner would make the payment of the same his electricity line would be restored immediately within 24 hours.

A show cause notice has been filed by the opposite party no. 3 in which it is stated that a rectified bill has been issued to the petitioner but which does not satisfy the petitioner.

In my opinion by the issuance of the rectified bill, the order passed on



the writ application has been complied and no contempt arises. The petitioner if so aggrieved by the rectified bill may take recourse to such remedy as available to him in law.

The contempt application is, accordingly, disposed of.”

9. It is further contended that the petitioner is not a bona fide consumer, as the connection stands in the name of his deceased father, and the petitioner has not applied for substitution as required under Clause 7.9 of the Electricity Supply Code. The respondents admit that due to the fault of the billing agency, bills for the period March 2011 to February 2015 were not issued. However, the bills were later corrected, and a revised demand was issued. Mistakes related to meter numbers occurred due to confusion with the consumer’s computer ID. It is submitted that the grievance raised by the petitioner has already been redressed. Bills were corrected, DPS was waived as per internal communications, and the electricity supply was restored in the month of August 2017 upon payment of the first installment



under protest.

10. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

11. Upon perusal of the materials on record, including the earlier orders passed in CWJC No. 23 of 2017 and MJC No. 747 of 2017, and considering the admissions made by the respondents in the counter affidavit, the following facts are clear. The disconnection in the year 2011 was due to non-payment of dues by the original consumer namely, petitioner's father. Upon restoration of supply and installation of a new meter in the month of March 2011, bills were not issued due to lapses in the billing agency. The petitioner did not formally apply for substitution of his name in the records. Several billing errors occurred, some of which were subsequently corrected. The Public Grievance Redressal Officer had directed the issuance of a corrected bill and restoration of supply. Further, in compliance with the directions of this Court in CWJC No. 23 of 2017,



a rectified bill was issued and the electricity connection was restored in the month of August 2017. The petitioner has been regularly making payments from the month of September 2017 onwards.

12. In view of the above, this Court is of the opinion that the grievance of the petitioner has been redressed by the respondents, as the bills were corrected and adjusted. No further direction is required in the matter.

13. Accordingly, the Writ petition is disposed of.

14. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.09.2025
Transmission Date	

