

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3669 of 2024

Nandan Kumar, son of Vinod Kumar Verma, Resident of Gosai Mohalla,
Vikramganj, P.S. Bikramganj, District Rohtas-802212.

... .. Petitioner/s

Versus

1. The South Bihar Power Distribution Company Limited Vidyut Bhawan, Bailey Road, Patna, through its Managing Director.
2. The General Manager (Revenue), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna.
3. The Electrical Executive Engineer, South Bihar Power Distribution Company Limited, Electric Supply Division, Rohtas.
4. The Assistant Electrical Engineer, Electric Supply Sub Division, Vikramganj, Rohtas.
5. The Junior Electrical Engineer, Electric Supply Division, Vikramganj, Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi, Adv.
For the SBPDCL : Mr. Kunal Tiwary, ASC

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

14 15-04-2025 Heard the parties.

2. The present writ petition is filed for the following

relief(s):-

“i) For setting aside the communication dated 22.4.2022 issued by the respondent no. 5, whereby and whereunder a sum of Rs.4,44,540/- was declared to be an outstanding against the premise and for non-payment thereof the petitioner was threatened with disconnection of electric supply.

ii) For setting aside the communication



dated 15.5.2023 issued by the respondent no. 5, by which the electric supply of the petitioner has been disconnected on account of alleged dues of the erstwhile consumer, which was incorporated in the energy bill of the petitioner in terms of Clause 4.1 of the Bihar Electricity Supply Code, 2007.

iii) To hold and declare that the disconnection dated 15.5.2023 is illegal and arbitrary and restrain the respondents to levy any charges for the period of disconnection with effect from 15.5.2023.

iv) To hold and declare that once the new electrical connection granted to the petitioner on 6.5.2021 after certifying that there was no dues, the action of the respondents in incorporating the dues of earlier consumer, who died way back in the year 2014, is contrary to the provisions of the Electricity Act, 2003 as also the Bihar Electricity Supply Code, 2007.

v) For a direction to the respondent authorities to restore the electric supply of the petitioner forthwith, as Clause 4.1 of the Bihar Electricity Supply Code, 2007 mandates recovery of the outstanding dues, from another account of the defaulting consumer, and not otherwise.

vi) To grant any other relief or reliefs for which the petitioner may be found entitled to



in the facts and circumstances of the case.”

3. Even though, the learned counsel appearing on behalf of the petitioner has argued at length on merits of the case, this Court is not inclined to entertain the present writ petition as the petitioner is having an alternative and effective statutory remedy of approaching the Consumer Grievance Redressal Forum under Section 42 (5) of the Electricity Act, 2003.

4. Liberty is granted to the petitioner to approach the C.G.R.F. and raise all grounds if necessary within a period of four weeks from today.

5. On such case being filed, the C.G.R.F. shall consider the same and decide the case within a period of four weeks and pass necessary orders in accordance with law.

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

(A. Abhishek Reddy , J)

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