

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2500 of 2015

M/s Gramin Cold Storage Pvt. Ltd. Salepur, P.O. Mirzan Haat, P.S. Habibpur,
District Bhagalpur, through its Director, Sunil Shekhar, son of Yudhisthir
Mandal, Resident of Gramin Cold Storage Pvt. Ltd. Salepur, P.O. Mirzan
Haat, P.S. Habibpur, District Bhagalpur

... .. Petitioner/s

Versus

1. The Bhagalpur Electricity Distribution Company Pvt. Ltd., Mirzan Haat,
P.S. Ishaqchak, District Bhagalpur
2. The Bihar State Electricity Board, Patna through its Chairman, presently
South Bihar Power Distribution Company Ltd.
3. The General Manager cum Chief Engineer, Bihar State Electricity Board,
Bhagalpur, presently South Bihar Power Distribution Company Ltd.,
Bhagalpur
4. The Electrical Superintending Engineer, Electric Supply Circle, Bihar State
Electricity Board, Bhagalpur, presently South Bihar Power Distribution
Company Ltd., Bhagalpur
5. The Electrical Executive Engineer, Commercial & Revenue Division
Electric Supply Circle, Bihar State Electricity Board, Bhagalpur, presently
South Bihar Power Distribution Company Ltd., Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Samdarshi, Advocate
	:	Mr. Avinash Shekhar, Advocate
	:	Mr. Vijay Shanker Tiwari, Advocate
	:	Ms. Abhilasha Jha, Advocate
	:	Mr. Simran Kumari, Advocate
For the Respondent/s	:	Mr.Vinay Kirti Singh, Sr. Advocate

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

34 17-01-2025 1. The Writ petition is filed for quashing the

Supplementary bill dated 19.12.2003 for Rs. 5,09,614/-

raised by the Board for a period of 17 months from July

2002 to November, 2003. At the outset, it is appropriate to

mention that initially the petitioner approached the

District Consumer Forum for quashing of the



Supplementary Bill dated 19.12.2003, which was allowed by the Consumer Forum.

2. Being aggrieved by the same, the respondents preferred an appeal before the State Consumer Forum. The State Consumer Forum set aside the order of the District Consumer Forum. Being aggrieved by the same, the petitioner has preferred the present Writ petition.

3. At this juncture, the Learned counsel for the petitioner, Mr. Suraj Samdarshi, reported to the Court that the Consumer Grievance Redressal Forum is the appropriate forum to dissolve the disputes between the parties and requested permission to withdraw the Writ petition with liberty to approach the appropriate forum, raising all the issues and also contended that a specific direction may be given to the Consumer Forum to settle the dispute within fixed period.

4. On the other hand, the Learned counsel for the respondents, Mr. Prakash Kumar, also stated that he has no objection to the petitioner approaching before the Consumer Grievance Redressal Forum.



5. Taking into consideration the rival contentions made by both the counsel, this Court is of the considered view that the Writ petition may be withdrawn giving liberty to the petitioner to approach before the Consumer Grievance Redressal Forum for settling the disputes under Section 42(5) of Electricity Act, 2003.

6. Further, the respondents shall not take any coercive step till the disposal of the application before the Consumer Grievance Redressal Forum, with a rider that the petitioner shall pay current charges regularly.

7. Further, the Consumer Forum shall decide the case on merits within a period of four months from the date of filing of the application.

8. With the above said observation, the Writ petition is dismissed as withdrawn with the aforesaid observation.

(G. Anupama Chakravarthy, J)

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