

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16981 of 2025

Raj Kumar, Son of Late Ram Chandra Sao, Resident At Sahokhar, P.O. Sohsarai, P.S. Sohsarai, District- Nalanda- 803101.

... .. Petitioner/s

Versus

1. South Bihar Power Distribution Company Ltd. through G.M. Vidyut Bhawan, Jawahar Lal Nehru Marge/Bailey Road, Patna- 1.
2. The Chairman, Bihar Electricity Regulatory Commission Vidyut Bhawan, Jawahar Lal Nehru Marge / Bailey Road, Patna- 1.
3. The Executive Engineer Electrical, Electric Supply Division Bihar Sharif, Nalanda.
4. The Revenue Officer, Electric Supply Division, Bihar Sharif, Nalanda.
5. The Assistant Electrical Engineer, Electric Supply Division (Urban), Bihar Sharif, Nalanda.
6. The Junior Electrical Engineer, E.S.D. Bihar Sharif, Nalanda.
7. The Junior Electrical Engineer, E.S.D. Sohsarai, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Pandey, Advocate
For Respondent No. 1	:	Mr. Prakash Kumar, Advocate
For Respondent No. 2	:	Mr. Rajani Kant Mishra, Advocate
		Mr. L.L. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT

Date : 17-11-2025

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ application has been filed for a direction to the respondents to comply with the order dated 28.04.2025 passed by the Ombudsman, Bihar Electricity Regulatory Commission (hereinafter referred to as 'BERC'), Patna in Appeal No. 38/2024, whereby and whereunder the appeal has been allowed by setting aside the order dated



15.09.2022 passed by the Consumer Grievance Redressal Forum (hereinafter referred to as 'CGRF') (Electricity), Bihar Sharif, Nalanda in Complaint Case No. 27/2019.

3. Petitioner is a domestic consumer having Domestic Category-II Single Phase and has been paying the electricity bill regularly. Learned counsel for the petitioner submits that old meter of the petitioner was changed in the year 2017 and thereafter dispute arose regarding billing pattern of the electric consumption. According to the petitioner, after change of meter the units consumed is inconsistent and the average consumption in his house is not reflected in the disputed bill. The petitioner raised the dispute of the electricity bill of May, 2018 amounting to Rs. 13,941/- and filed the petition before the CGRF having case No. 27/2019. During pendency of the case before the CGRF, another bill was issued for the period September, 2021 to July, 2022 having a payable amount of Rs. 2,59,420/- which was challenged before the CGRF. The CGRF by order dated 15.09.2022 rejected the application of the petitioner and directed the complainant to pay the bill as raised by the South Bihar Power Distribution Company Ltd. However, liberty was granted to the petitioner/complainant to approach the competent authority for grant of instalments if required. The stay granted



earlier by the CGRF was also vacated. In the meanwhile, a bill dated 08.09.2022 was raised requiring the petitioner to deposit a sum of Rs. 2,59,420/- up to 03.10.2022. The petitioner challenged the order passed by the CGRF before the appellate authority i.e. Electric Ombudsman, who by its order dated 28.04.2025 directed the respondent/Licensee to raise the bill without any Delayed Payment Surcharge (D.P.S.) and also consider for grant of instalments.

4. Learned counsel for the SBPDCL submits that in compliance of the order passed by the Ombudsman, a fresh demand was served upon the petitioner vide letter dated 30.05.2025 asking him to deposit 30 per cent of the bill amount of Rs. 3,17,781/- and the balance amount in five equal instalments. The submission is that this instalment has been fixed on the basis of the order of the BERC dated 06.06.2017 in Case No. 01/2017.

5. Having heard learned counsel for the parties and having gone through the materials on record, it appears that the bill served upon the petitioner is reflecting the units consumed by him every month. The CGRF as well as the Ombudsman have not interfered with the units consumed by the petitioner in several months. The only direction of the Ombudsman to the



Licensee/Distribution Company is not to raise the D.P.S. from the petitioner. Admittedly, no D.P.S. has been raised by the Licensee/SBPDCL in the fresh bill issued to the petitioner having a total payable amount of Rs. 3,17,781/-. Furthermore, in compliance of the order of the Ombudsman, the respondent/Licensee has issued a letter to the petitioner dated 30.05.2025 for payment of the bill amount in instalments.

6. Accordingly, I do not find any merit in this writ application. The same is rejected.

(Anil Kumar Sinha, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	19.11.2025
Transmission Date	

