

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1956 of 2025

Bharat Rajak son of Late Jagdish Rajak, Resident of Mohalla-145, Ramdas
Gupta Path, Ransar, P.S.-Kotwali, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Energy, Government of Bihar, Patna.
2. The Secretary, Department of Energy, Government of Bihar, Patna.
3. The Chairman, Bihar State Power Holding Company Limited, Bihar, Patna.
4. The Managing Director, South Bihar Power Distribution Company Ltd., Bihar, Patna.
5. The Executive Engineer, Department of Electricity, Government of Bihar, Bhagalpur.
6. The Assistant Engineer Electricity, Government of Bihar, Bhagalpur.
7. The Junior Engineer, Mozahidpur, Electric Supply Division, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Kumar
For the Respondent/s	:	Mr. Standing Counsel (12)
	:	Mr. Anuj Kumar, Ac to Sc12
For the SBPDCL	:	Mr. Dr. Anand Kumar, Adv.
	:	Mr. Rajan Prakash, Adv.
	:	Ms. Anuradha Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

10 10-11-2025

1. The petitioner has filed the present writ application for quashing of the order dated 19.09.2024 passed in Appeal Case No. 13 of 2023 by Ombudsman, Electricity Department and for quashing the order dated 16.02.2023 passed by CGRF in Case No. 7 of 2021.

2. Learned counsel for the petitioner submits that father of the petitioner was consumer of electricity having commercial connection in his dry cleaning shop. He died in



2008. The respondent/SBPDCL have raised a bill since 2001 up till now to the tune of Rs 187,750/- on the basis of average billing. Petitioner has been paying the amount on various dates but the respondent/authorities is not considering and deducting the amount paid by the petitioner towards his outstanding bill. He further submits that the order passed by CGRF was not on merit but on the ground that the petitioner had filed a case before the Consumer Forum under the Consumer Dispute Redressal Act and the same was pending. The appeal preferred by the petitioner bearing Appeal No. 13/2012 before the Ombudsman has been dismissed on the ground that the petitioner can file a petition afresh before the District Consumer Forum, Bhagalpur. Admittedly, the case filed by the petitioner before the District Consumer Forum, Bhagalpur, was dismissed for default earlier, vide order dated 17.11.2023 in Complaint No. 13/2012.

3. On the other hand, learned counsel for the SBPDCL submits that petitioner in abuse of the process of court is filing cases one after the another and is not willing to pay the consumption charges of electricity which is pending since 2001. Petitioner is having the commercial connection and is running his dry cleaning shop using the electricity supplied by the



company. He placed a chart annexed with the counter affidavit showing the consumption of electricity used by the petitioner on various dates and further in para 9 and 13 of the counter affidavit, detailed chart has been given showing the outstanding dues against the petitioner since 2001 having a total amount payable till March 2025 at Rs. 187,750/-. The amount paid by the petitioner has also been shown in the chart and has been adjusted by the power holding company.

4. Having heard learned counsel for the parties and going through the materials including the chart produced by the respondent, it appears that the consumption of electricity since 2001 is not very high inasmuch as the electricity consumed in a month in the shop of the petitioner has been shown to be about 50 units to 100 units during the entire disputed period. Since, for the last 24 years, the issue regarding disputed bill is pending and the petitioner has been filing case after case at one forum and another forum, in my opinion, referring the matter before any other forum, including CGRF, will not be in interest of justice. From the chart, it appears that a reasonable amount has been charged by the distribution company against consumption since 2001 and, as of today, Rs. 187,750/- is payable by the petitioner which does not appear to be excessive or exorbitant.



5. At this juncture, learned counsel for the petitioner submits that the petitioner is ready to pay the outstanding dues as of today within a period of 6 months in installments with admissible charges.

6. In view of the aforesaid submission, this writ application is disposed with direction to the petitioner to file an application before the G.M., Revenue, for payment of the electricity dues in installments within a period of 10 days from today. If such an application is filed, the G.M., Revenue, is directed to consider the same and grant 6 installments along with admissible Delayed Payment Surcharge (DPS) on the payable amount of bill as on October 31st, 2025. It goes without saying that the petitioner will keep on paying the current electricity bill regularly.

7. With the aforesaid direction and observation, the present writ application is disposed.

(Anil Kumar Sinha, J)

HarshPandey/-

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