

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17398 of 2024

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Suraj Kumar Son of Late Lalan Ram Resident of Quarter no 16, Polo Road,
Kaushal Nagar, P.S.- Hawai Adda, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Dept., Patna, Bihar
2. The Executive Engineer, South Bihar Power Distribution N.C. PESU (W), Patna-15.
3. The Assistant Electrical Engineer, Electric Supply Division, New Capital (PESU) (W), Patna-15.
4. The Assistant Electrical Engineer (Revenue) , Electric Supply Division, New Capital (P.E.S.U.) (W) Patna-15.
5. The Revenue Officer, Electric Supply Division, New Capital PESU (W), Patna-15.
6. The Junior Engineer, Electric Supply Sub-Division, New Capital PESU (W), Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mazharul Hassan, Adv.
For the Respondent/s	:	Mr. Standing Counsel (25)
For the SBPDCL	:	Dr. Anand Kumar, Adv.
		Mr. Rajan Prakash, Adv.
		Ms. Anuradha Mishra, Adv.

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

3 10-02-2026 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

*“1. That the present writ application
has been filed for directing the respondent for
restore Electric connection of the petitioner,*



petitioner Eclectic connection was disconnected for Dues of Electric Bill. Petitioner was paid all dues with fine and compounding amount thereafter Electric Supply was started. But in Electric Computer dues was not deleted he shows back doors not paid thereafter petitioner claim money time resulting. His electric supply again disconnected for non-payment. Petitioner was rooting heather and thither thereafter Bill dated 23.10.2024 issued. In the Bill back dues also shows. But amount was lessed, petitioner House Electric disconnected after payment of all dues Electric Bill Electric Computer show back dues. Petitioner and his family member was shocked for behavior of Officer of South Bihar Power Distribution Company Limited, Patna, petitioner has no any alternative remedy same and except the present writ application.”

3. Learned counsel appearing on behalf of the petitioner submits that pursuant to the direction given by the Special Court on 14.10.2022, the petitioner has paid the entire amounts due to the respondents. However, the respondent authority have issued a bill to the petitioner stating that the petitioner was still due an amount of approximately Rs. 29,596/- towards DPS charges. Learned counsel submits that the authorities without verifying their accounts properly have disconnected the power supply to the petitioner. Learned



counsel submits that the Special Court had directed the petitioner to pay an amount of Rs. 26,327/- within a period of 30 days and thereafter Rs. 22,000/- in five equal installments. That the petitioner has paid the entire amount of Rs. 1,36,327/- as directed by the Special Court. However, the authorities without taking the same into account have charged an amount towards the DPS charges along with the actual consumption charges. Learned counsel submits that the act of the respondent authority in disconnecting the power supply of the petitioner is illegal, arbitrary and contrary to the orders passed by the Special Court vide order dated 11.10.2022.

4. *Per contra*, the learned counsel appearing on behalf of the respondent (South Bihar Power Distribution Company) submits that the Special Court vide order dated 11.10.2022 has directed the petitioner to pay the outstanding due amount of Rs. 1,36,327/- in installments. The petitioner was directed to pay an initial amount of Rs. 26,327/- towards the first installment within a period of 30 days and thereafter Rs. 22,000/- per month in five installments after the payment of the first installment. Learned counsel submits that the petitioner has paid the first installment of Rs. 26,327/- on 18.10.2022, the second installment of Rs. 22,000/- on 19.11.2022, third installment of



Rs. 22,000/- on 19.12.2022 and thereafter the petitioner did not pay the fourth, fifth and sixth installments within the stipulated time. That the petitioner has paid an amount of Rs. 66,000/- on 09.10.2023. Learned counsel submits that due to the delay in paying the last three installment amounts, the authorities had to necessarily include the DPS charges for the delayed payment and the amount of Rs. 29,596.74/- reflected in the bill for the month of January, 2025 is towards the DPS charges, the other charges are for the current electricity consumption and arrears. Learned counsel submits that in case the petitioner pays the DPS charges as reflected in the current bill, the authorities are ready to restore the power supply to the petitioner.

5. Admittedly in this case, a direction has been issued by the Special Court to the petitioner to pay an amount of Rs. 1,36,327/- in six installments, the first installment being Rs. 26,327/- and the five installments were of Rs. 22,000/- each payable by 15th of every month.

6. As seen from the documents filed by the petitioner himself, the petitioner has paid the first installment of Rs. 26,327/- on 18.10.2022, the second and third installments of 22,000/- each on 19.11.2022 and 19.12.2022 respectively. Thereafter the petitioner did not pay any amount till 09.10.2023



when he has paid the amount of 66,000/- and compounding bill of Rs. 4000/- on 13.10.2023. As rightly pointed out by the respondent counsel, the authorities have only levied the DPS charges for the late payment of the amount directed by the Special Court. This court does not find any illegality or perversity in the respondent authorities including the DPS charges in the electricity bill. Had the petitioner paid the monthly installments of Rs. 22,000/- within the stipulated time as directed by the Special Court vide order dated 14.10.2022, the question of DPS charges being included in the electricity bill could not have arisen. The authority cannot be blamed for the lapses committed by the petitioner who admittedly had paid the last three installments of Rs. 22,000/- each after a gap of nearly nine months.

7. Having regard to the same, this Court does not find any merit in the present writ petition and the same is accordingly allowed. In case the petitioner is so advised, he is directed to pay the entire outstanding amount due as of January, 2026 within a period of 15 days from today and on such payment being made, the authorities are directed to restore the power supply to the petitioner.

8. With the above directions, the present writ petition



stands disposed of.

(A. Abhishek Reddy , J)

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