

(2013) 08 PAT CK 0066
In the Patna High Court
Case No : CWJC No. 15329 of 2013

Ajay Kumar

APPELLANT

Vs

The Bihar State Power (Holding) Company Limited and
Others

RESPONDENT

Date of Decision : 20-08-2013

Acts Referred:

Citation : (2013) 4 PLJR 784

Hon'ble Judges : J.N. Singh, J

Bench : Single Bench

Advocate : Suraj Samdarshi, for the Appellant; Vinay Kirti Singh, for the Respondent

Judgement

J.N. Singh, J.—Admittedly, earlier electric connection of the building was in the name of father of the petitioner. After his demise, electric connection continued for sometime. The building is occupied by the two sons of the deceased. Subsequently, a dispute arose between them on account of which bills of electric charges could not be cleared and on account of the outstanding dues, electric line has now been disconnected. Learned counsel for the petitioner submits that the other brother, who is residing on the first floor of the building, is not agreeable to pay half amount of the bill and get the electric line restored. Due to this, petitioner and his family are in dark. He submits that petitioner is ready to clear the entire dues standing against the original electric connection in the name of his father and thereafter he will apply for fresh connection in his name which respondents may be directed to grant as early as possible. He submits that since dues is of more than one lakh, this Court may fix up some instalment for clearing the same.

2. Considering the fact that it is a domestic connection and only account of the dispute between brothers, electric line has been disconnected, this Court finds it equitable to allow petitioner to clear the outstanding dues of the respondents in three equal monthly instalments. On deposit of the first instalment with an

application for new electric connection or for transfer of connection in his name, respondent shall accept the same and shall energize the electric line at the earliest.

3. It goes without saying that this will be subject to the payment of monthly instalment and the current charges by the petitioner regularly. This writ application is disposed of with the aforesaid observations and directions.