
(2017) 02 JH CK 0124
In the Jharkhand High Court
Case No : 737 of 2017

Arjun Thakur

APPELLANT

Vs

The State of Bihar

RESPONDENT

Date of Decision : 10-02-2017

Acts Referred:

Citation : (2017) 02 JH CK 0124

Hon'ble Judges : Aparesh Kumar Singh

Bench : SINGLE BENCH

Advocate : M. S. Mittal, ?Saket Upadhyay, Naveen Kumar, ?Amit Sinha, Navin Kumar

Final Decision : Disposed

Judgement

1. Heard learned counsel for the petitioners and Electricity Company.
2. Petitioners have approached this Court seeking restoration of electrical connection in respect of two connections in the same premises being DRDS 2103 of 9 KW in the name of petitioner no. 1 and DRDS 631 of 1 KW in the name of petitioner no. 2. Petitioner no. 1 has also sought revision of the bills from December, 2014 on the basis of average consumption of previous three months as per the provisions of Electrical Supply Code Regulation, 2015.
3. Counsel for the Respondent-Company submits that outstanding bills have been raised regularly since December, 2014. Petitioners have not raised their disputes on the bills in question before appropriate forum being Vidyut Upbhokta Shikayat Nivaran Forum any time before

disconnection of electricity on 27th January, 2017 in respect of petitioner no. 1 and 19th October, 2016 in respect of petitioner no. 2. He submits that the issue in question is a billing dispute as made out by the petitioners, for which petitioners should have invoked the statutory forum created under the Electricity Supply Act, 2003.

4. Counsel for the petitioners submits that petitioners' children are facing serious difficulty in preparing exams to be held for the current academic session. He submits that the electricity connection may be directed to be restored upon deposit of 50% of electricity dues in question giving liberty to petitioners to raise their grievances in the meantime before the Vidyut Upbhokta Shikayat Nivaran Forum.

5. Having considered the submission of the parties and the relevant material facts pleaded, the issue involved in the present writ application prima facie appears to be a dispute relating to electricity bills raised upon the petitioner by the Electricity Company. There is a grievance redressal forum created specifically for dealing with such dispute by aggrieved consumers. Therefore, petitioners are required to raise issues relating to billing dispute before competent forum having jurisdiction.

6. In the meantime, if the petitioner no. 1 deposits 50% of outstanding dues of Rs. 1,42,089/- and petitioner no. 2 deposits outstanding dues of Rs. 38,316/- by Monday i.e, 13.02.2017 the respondents would restore the electricity connection of the petitioners. This, however, would be subject to adjudication on the issue by the appropriate forum where petitioners are relegated to raise their grievances. However, upon restoration of electricity connection petitioners should continue to pay the current bills subject to outcome of the issue and any adjustment to be undertaken after adjudication by the competent forum. Petitioners should approach the competent forum in respect of issues relating to billing dispute within a period of 2 weeks from today.

7. Accordingly, the writ petition stands disposed of. Let it be made

clear that the Court has not gone into the merits of the case.