
(2013) 12 PAT CK 0048
In the Patna High Court
Case No : CWJC No. 21216 of 2013

Awadh Kishor Yadav

APPELLANT

Vs

The South Bihar Power Distribution Company Ltd. and Others

RESPONDENT

Date of Decision : 19-12-2013

Acts Referred:

Citation : (2014) 1 PLJR 203

Hon'ble Judges : Navaniti Prasad Singh, J

Bench : Single Bench

Advocate : Shambhu Sharan Singh, for the Appellant; Vinay Kirti Singh, for the Respondent

Judgement

Navaniti Prasad Singh, J.—Heard the learned counsel for the petitioner and the learned counsel for the Power Company. With their consent, this writ petition is being disposed of at this stage itself. The petitioner appears to be in huge arrears of electricity dues. Because of those arrears, on 27.9.2012, his electricity was disconnected. He had an LTIS-II connection. At the time of disconnection, the total dues as against the petitioner was about Rs. 5,82,836/-. Petitioner states that he is ready to pay the aforesaid amount but the amount has accumulated to such an extent that he cannot pay the same in one go. He submits that if installments are not given then it would virtually be denying him electric connection at all times because he has no wherewithal to pay this amount of about Rs. 6 lacs in one go. The learned counsel for the Power Company wants the full amount at once before they can grant connection.

2. Having heard the learned counsel for the petitioner and the learned counsel for the Power Company, in my view, an equitable solution has to be found. It cannot be denied that the Power Company needs the money. At the same time, it cannot be denied that unless the consumer is connected, the Power Company cannot get money.

3. In my view, it would be just and equitable to order that the outstanding

amount would be paid by the petitioner in installments of Rs. 60,000/- per month. That would clear the entire dues in about 10 months. This is apart from the current energy bills that would be generated.

4. Upon deposit of first installment of Rs. 60,000/- alongwith RC DC charges, the line would be energized. Petitioner would have to give an undertaking to pay timely installments alongwith current charges and failure to pay the same would entitle the Power Company to exercise the right of disconnection afresh. With these observations and directions, the writ petition stands disposed of.