
(2002) 05 JH CK 0008
In the Jharkhand High Court
Case No : CWJC No. 2933 of 2000

Phulhari Devi (Smt.)	Vs	APPELLANT
B.S.E.B. and Others		RESPONDENT

Date of Decision : 02-05-2002

Acts Referred:

Citation : (2002) 05 JH CK 0008

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : R.S. Mazumdar, for the Appellant; V.P. Singh and Mukesh Kr., for the Respondent

Judgement

S.J. Mukhopadhaya, J.—The petitioner has challenged the legal notice No. 2796 dated 28.6.2000 as contained in Annexure 8, whereby she has been asked to pay a sum of Rs. 1,44,692/- within a specified period with clear stipulation that on failure, a certificate proceeding may be started against her. Her grievance is that the notice dated 28.6.2000 has been issued without giving details of dues including the month for which such demand has been made.

2. It is further alleged that in earlier case CWJC No. 3289/99(R), while the petitioner sought for conversion from commercial to domestic connection, the Court passed certain order on 9.3.2000 but it has not yet been complied by the respondents till date.

3. In the facts and circumstances, as the petitioner alleged that the respondents have not given details of month for which the demand notice Annexure-8 has been issued, instead of deciding the case on merit, it is remitted.

4. The petitioner may approach the Electrical Superintending Engineer, Electrical Circle, Saraidhella, Dhanbad and may bring to his notice the legal notice and a copy of this order, who in his turn will enquire and provide the petitioner the details of the dues monthwise for which the legal notice has been issued, within a period of six weeks from the date of application.

5. So far as non-compliance of order dated 9.3.2000 passed in CWJC No. 3289/99(R) is concerned, if the order has not yet been complied and the commercial connection has not been converted into domestic connection inspite of petitioner's request, petitioner may move this Court for initiating a proceeding for contempt against the officer concerned.

6. The petitioner may also bring to the notice of such authority that the Court's order has not been complied, who is directed to comply the same, if not yet complied.

7. So far as restoration of connection is concerned, if monthwise details of dues is supplied to her and the petitioner deposits the requisite amount, the respondents will restore the connection.

8. The writ petition stands disposed of, with the aforesaid observations.