

GAHC010074482021



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2822/2021

ASSAM POWER DISTRIBUTION COMPANY LTD AND ANR
A GOVT. OF ASSAM UNDERTAKING DULY INCORPORATED UNDER THE
COMPANIES ACT, 1956, HAVING ITS OFFICE AT BIJULEE BHAWAN, PALTAN
BAZAR, GHY-01 DULY REP. BY ITS ASSTT. GENERAL MANAGER

2: THE SUB-DIVISIONAL ENGINEER
NARENGI ELECTRICAL SUB-DIVISION
ASSAM POWER DISTRIBUTION COMPANY LTD.
NARENGI
GHY-2

VERSUS

CONSUMER GRIEVANCES REDRESSAL FORUM AND ANR
BIDYUT NIYAMAK BHAWAN, AERC BUILDING, 3RD FLOOR, SIX MILE,
GHY-22

2:DULEN BURAGOHAIN
S/O- LT. SATYA NATH BURAGOHAIN
R/O- PROMOD BASUMATARY PATH
DALBARI
SATGAON
P.S. SATGAON
GHY-27
DIST.- KAMRUP (M

Advocate for the Petitioner : MR B D DAS

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 23.06.2021

Heard Mr. P. Bhowmik, learned counsel for the petitioner.

Having aggrieved by an order dated 14.12.2020 passed by the Consumer Grievance Redressal Forum, statutory body constituted under Section 42(5) of the Electricity Act, the present writ petition has been filed under Article 226 of the Constitution of India.

The learned counsel for the petitioner projects that as against the bill dated 15.08.2019 (Annexure-10), there was no error in the billing system that the fault was on part of the meter reader, who did not take the actual meter reading. It is submitted that as there was delay on part of the petitioner, they had only charged the electricity dues without charging any interest or surcharge thereon.

The grievance of the petitioner is that the Consumer Grievance Redressal Forum had directed that the respondent no.2 consumer will pay only 50% of the bill amount.

Issue notice returnable on 04.08.2021.

The petitioner shall take steps within 2(two) days for service of notice on the respondents by registered post as well as by dasti by routing the process through the Registry of this Court and upon service, an affidavit of service shall be filed prior to the next date fixed.

Till further orders, the order dated 14.12.2020 passed by the Consumer Grievance Redressal Forum in C.P. Case No. 14/2020 shall remain suspended. However, it is also provided that the petitioner shall not take any coercive steps against the respondent no.2 for realizing of the dues.

List on 04.08.2021.

JUDGE

Comparing Assistant