

GAHC010258392025



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

Case No. : WP(C)/6828/2025

SARAT KUMAR JAIN AND 2 ORS.
S/O MOHAN LAL JAIN, R/O BHAGWATI SADAN, J P AGARWALLA ROAD,
BHARALUMUKH, GUWHATI-781009. COPARCENER OF M/S BHAGAWATI
PROPERTIES, HAVING ITS OFFICE AT J.P. AGARWALLA ROAD,
BHARALUMUKH, GUWHATI-781009

2: SUSHIL KUMAR JAIN
S/O MOHAN LAL JAIN
R/O BHAGWATI SADAN
J P AGARWALLA ROAD
BHARALUMUKH
GUWHATI-781009. COPARCENER OF M/S BHAGAWATI PROPERTIES
HAVING ITS OFFICE AT J.P. AGARWALLA ROAD
BHARALUMUKH
GUWHATI-781009. REPRESENTED BY PETITIONER NO. 1.

3: MS. LALITA DEVI JAIN
D/O RUKMANAND SONTHALIA
R/O BHAGWATI SADAN
J P AGARWALLA ROAD
BHARALUMUKH
GUWHATI-781009. COPARCENER OF M/S BHAGAWATI PROPERTIES
HAVING ITS OFFICE AT J.P. AGARWALLA ROAD
BHARALUMUKH
GUWHATI-781009. REPRESENTED BY PETITIONER NO. 1

VERSUS

ASSAM POWER DISTRIBUTION COMPANY LIMITED AND ANR
HAVING ITS OFFICE AT 4TH FLOOR, BIJULEE BHAWAN, PALTAN BAZAR,
GUWAHATI-781001, ASSAM, REPRESENTED BY THE CHAIRMAN, ASSAM
POWER DISTRIBUTION COMPANY LIMITED

2:AREA MANAGER

INDUSTRIAL REVENUE COLLECTION AREA-1
ASSAM POWER DISTRIBUTION COMPANY LIMITED
LAR
PALTAN BAZAR
GUWAHATI-781001
ASSA

For the Petitioner(s) : Mr. G.N. Sahewalla, Sr. Advocate
Ms. S. Todi, Advocate

For the Respondent(s) : Mr. S.P. Sharma, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 08.12.2025

Issue notice making it returnable on 10.12.2025.

2. Mr. S.P. Sharma, the learned Standing Counsel appears on behalf of the respondent Nos. 1 and 2 and accepts notice.
3. Extra copies of the writ petition be served upon him during the course of the day.
4. The grievance of the petitioners herein is that in spite of specific directions passed by the learned Coordinate Bench of this Court in WP(C) No. 2318/2019 whereby the Respondent Authorities were specifically directed not to take steps for disconnection in terms with Section 56(1) of the Electricity Act, 2003 while granting liberty to the APDCL Authorities to take steps for recovery of the supplementary bills as envisaged under

law, the Respondent Authorities have resorted to coercive measures by incorporating in the bills the amounts claimed in the supplementary bills as principal arrears and in addition to that have also taken recourse to recover arrear surcharge as well as the current surcharge. It is the further case of the petitioners that the petitioners were compelled to pay the current surcharge for the months of July and August, 2025 and in that regard had also submitted representation, however, the Respondent Authorities have not taken into consideration the same. It is under such circumstances, the present writ petition has been filed.

5. Mr. S.P. Sharma, the learned Standing Counsel appearing on behalf of the respondent Nos. 1 and 2 submitted that he would obtain instructions and place the same before this Court on the next date.

6. List accordingly.

JUDGE

Comparing Assistant