

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
W.P. (C) No. 746 of 2008

M/s. Dayal Steels Ltd., Ramgarh ... .. Petitioner

Versus

State of Jharkhand and others ... .. Respondents

CORAM: THE HON'BLE MR. JUSTICE M. Y. EQBAL

For the Petitioner: M/s. Ram Balak Mahto, Ajit Kumar

For the Respondents: M/s. M.S. Mittal, S. Choudhary

2/ 12.2.2008

Heard Mr. Ram Balak Mahto, learned Sr. Counsel appearing for the petitioner and, Mr. M.S. Mittal, learned counsel appearing for the D.V.C.

By this application, petitioner seeks a direction upon the respondents to restore the electric connection which was disconnected on the alleged ground of pilferage of electricity. It appears that after disconnecting supply of electricity, F.I.R. has also been lodged against the petitioner.

In terms of Section 126 of the Electricity Act, the respondents shall raise provisional bill against which the petitioner may file objection and after deciding the objection, final bill shall be raised. I am, therefore, of the view that the respondents-Board shall raise provisional bill and thereafter, the procedures as indicated above shall be followed. Needless to say any decision that may be taken on the objection that may be filed by the petitioner against the provisional bill, the petitioner may avail the remedy of appeal as provided under section 127 of the Act.

Mr. Mittal has very fairly submitted that if any interim relief is given to the petitioner, at least the petitioner should deposit amounts equivalent to three-month's security which comes to about Rs. Five crores.

Considering the aforesaid submissions, if the petitioner deposits a sum of Rs. Three crores, electricity connection shall be restored in the factory premises of the petitioner. Needless to say that deposit of this amount shall be subject to final decision that may be taken by the authority after considering the objection that may be filed by the petitioner against the provisional bill.

With the aforesaid directions, this writ petition is disposed of.

sdl/- M Y Eqbal, J.



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