



Serial No.03
Supp. List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 300 of 2025

Date of Decision: 25.07.2025

1. RNB Carbide & Ferro Alloys Pvt. Ltd.
2. M/s. Khasi Alloys Pvt. Ltd.
3. M/s. Green Valley Industries Ltd.
4. Hill Cement Co. Ltd.
5. RNB Cements Pvt. Ltd.
6. Nalari Ferro Alloys Pvt. Ltd.
7. Pioneer Carbide Pvt. Ltd.

...Petitioners

-Versus-

1. Meghalaya Power Distribution Corporation Limited,
Represented by its Director,
Lumjingshai Road, Shillong.
2. The Executive Engineer,
MTI Division,
MePDCL, Shillong.
3. The Chief Engineer,
Distribution, Eastern Zone,
MePDCL,
Lumjingshai, Shillong.



4. The Chief Engineer Distribution (EZ)
MePDCL,
Lumjingshai, Shillong.
5. The Additional Chief Engineer (D)
Eastern Zone, MePDCL,
Lumjingshai, Shillong.

...Respondents

Coram:

Hon'ble Mr. Justice H.S.Thangkhiew, Judge

Appearance:

For the Petitioner/Applicant(s) :	Mr. K.Paul, Sr. Adv. with Mr. S.Chanda, Adv. Mr. B.Snaitang, Adv.
For the Respondent(s) :	Mr. A.Kumar, AG with Mr. A.S.Pandey, Adv. Mr. A.H.Kharwanlang, Adv.

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| i) Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) Whether approved for publication
in press: | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. The petitioners herein who are stated to be registered companies are before this Court assailing the disconnection of electricity to their business premises on the ground that the same was done without following the



procedure as laid down in Section 56 of the Electricity Act, 2003. As such, the petitioners have impugned Notice of Demand dated 06-06-2025, with a prayer that directions be issued for immediate restoration of the electricity supply.

2. Mr. K.Paul, learned Sr. counsel assisted by Mr. S.Chanda, learned counsel for the petitioners, has submitted that in terms of Section 56 of the Electricity Act, 2003, in default of payment, the respondents may after giving not less than 15(fifteen) clear days' notice in writing to such person and without prejudice to his rights, cut off the supply of electricity. He submits that in the instant case, the same has not been adhered to, inasmuch as, to the notice dated 06-06-2025, nowhere has Section 56 been mentioned. He therefore, prays that in view of this glaring irregularity, appropriate orders be passed for restoration of the electrical connection.

3. Learned Advocate General assisted by Mr. A.S.Pandey, learned counsel on behalf of the respondents, has firstly questioned the maintainability of the instant writ petition and submits that a bare perusal of the affidavit shows that the deponent therein has not annexed any valid authorisation to enable him to sue or to prefer the instant writ petition on behalf of all the petitioners. The learned Advocate General has also vehemently objected to the prayer made in the writ petition and submits that the subject matter is not of a simple disconnection, but in fact the impugned



notice is a culmination of extensive legal proceedings before this Court itself. He further submits that the writ petitioner itself, on being unsuccessful in WP(C). No. 339 of 2024 and WP(C). No. 9 of 2025, which is mentioned in the impugned notice, had even sought a review for which interim orders have been passed staying the disconnection. In this context, the learned Advocate General has produced 2(two) orders passed by this Court dated 27-01-2025 in WP(C). No. 4 and 9 of 2025 and order dated 18-06-2025 passed in Review Petition No. 3 of 2025, which had been preferred by one of the petitioners. It is submitted that the instant writ petition is but an abuse of the process of law, inasmuch as, even by the impugned notice dated 06-06-2025, 15(fifteen) days' time was allowed for full payment of the outstanding amounts, failing which the respondent Corporation reserved the right to disconnect the power supply. He therefore submits, the case being situated on these circumstances, the writ petition ought to be dismissed.

4. Heard the learned counsels for the parties.

5. From the submissions and a perusal of the impugned notice dated 06-06-2025, it is seen that the said Notice of Demand for the outstanding dues has been made after this Court had disposed off WP(C). No. 339 of 2024 and WP(C). No. 9 of 2025, wherein, certain tariff orders had been challenged as also the jurisdiction of the MSERC to issue orders of recall. As such, it is not a fresh matter or a simple situation where for non-payment of dues,



without the due process of law, disconnection has been effected. A perusal of the impugned notice dated 06-06-2025, clearly mentions the circumstances in which the same has been issued, and further, a period of 15(fifteen) days from the date of issuance of the notice had been allowed for full payment of the outstanding amount. From the averments and statements made in para 7 of the writ petition, it is noted that the power supply to the respective plants was disconnected on 22-07-2025, that is well over a month from the date of the said notice. As such, it is not understood under what circumstances the writ petitioners are assailing the impugned notice, as even Section 56 mandates only a notice period of 15(fifteen) days.

6. Looking at the instant matter from all angles, especially the fact that the impugned notice is the culmination of multiple party litigation over a period of time, coupled with the fact that even after the writ petitions i.e. WP(C). No. 339 of 2024 and WP(C). No. 9 of 2025 had been disposed, appeals and even a review have been filed wherein, initially orders of stay of disconnection had been passed, the prayer for interference by this Court at this juncture on account of non-adherence to Section 56 is unsustainable. Further, even on the ground of maintainability, the writ petition is clearly disabled, inasmuch as, there is no authorisation for the deponent to institute the case for all the writ petitioners, except on behalf of the respondent No. 1.



7. Accordingly, in view of the facts and circumstances as discussed above, there is no merit in the instant application and the same is dismissed.

Judge