

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1597 of 2015

1. Jayaswal Neco Industries Limited A Company Incorporated Under The Companies Act, 1956 Having Its Registered Office At : F- 8, M I D C; Industrietal Area, Hingna Road, Nagpur (Maharashtra State) And One Of Its Plant At : Siltara Industrial Area, Raipur, Chhattisgarh, Through Its Power Of Attorney Holder Shri Paresh Kalla

---- Petitioner

Versus

1. Chhattisgarh State Power Trading Company Limited Through Its Managing Director, Vidyut Sewa Bhawan, Danganiya, Raipur, District Raipur (Chhattisgarh)

---- Respondent

For Petitioner.

: Shri Ashish Surana, Advocate.

Order On Board

09/09/2015

Heard.

1. The grievance of the petitioner is that petitioner's claim of payment of delayed payments surcharge against bill raised as per power purchase agreement executed with respondent for power supply during August 2010 to January 2012 has remained undecided till date. According to the petitioner's claim, the petitioner is entitled to payment of surcharge.
2. After going through the contents of the petition, I find that the claim does not appear to be frivolous and the respondent are to be required to take appropriate decision in claim of delayed payments surcharge and make payment as due and payable to the petitioner in accordance with the terms and conditions of power purchase agreement.
3. Considering that the representation has remained pending for last more than 6 months, it is directed that respondent no. 3 shall decide expeditiously petitioner's claim within a period of 3 months from the date of receipt of copy of this order. If the grievance of

the petitioner is not redressed, it is open for the petitioner to take recourse to remedy as may be available to him under the law.

4. Accordingly, the petition is finally disposed off.

Sd/-

Manindra Mohan Shrivastava

Judge

Amita