

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1338 OF 2014

MAHARASHTRA STATE ELECTRICITY DISTRIBUTION
VERSUS
KATARE SPINNING MILLS PVT. LTD.

...

Advocate for Petitioner : Mr. Satish M. Godsay
Mr. S.S. Deshmukh, Advocate for respondent.

CORAM : N.W. SAMBRE, J.
DATE : 17TH MARCH, 2015.

PER COURT:

1] Heard.

2] By the impugned order dated 20th September, 2013, the petitioner was ordered by the Consumer Grievance Redressal Forum, Latur, as under :-

[1] The application/appeal in 'A' form of the applicant/appellant is allowed.

[2] The debit bill adjustment amount shown by MSEDCL from June, 2008 to November, 2010 is improper and wrong and it is cancelled.

[3] The applicant/appellant is entitled to recover excess amount which he has deposited towards bill adjustment besides regular bills alongwith interest as per Section 62(6) of the Electricity Act, 2003.

[4] The respondent is directed to comply this order within three months from the date of this order and compliance

should be reported to the Forum.

[5] The order of IGRC Circle Office, Osmanabad in case No. 09/2013 dated 29.05.2013 is set aside.

[6] If the applicant is disagree with the judgment given by Forum then the applicant can file his representation within 60 days from the date of decision in `B' Form before the Ombudsman on the following address. Form B is available with free of cost in this office.”

2] In clause (3) of the said order, a declaration is given in favour of the respondent that the respondent will be entitled to recover excess amount which he has deposited towards bill adjustment besides regular bills alongwith interest as per Section 62(6) of the electricity Act, 2003.

3] In view of the order passed in W.P. No. 1015/2014, the present writ petition, in my opinion, for the reasons recorded therein, is also required to be dismissed. As a consequence thereof, the observations made by the Consumer Grievance Redressal Forum, Latur in its order dated 20th September, 2013 will be required to be taken to its logical end.

4] It is further observed that the time schedule mentioned in the said order as regards action to be taken by the petitioner company, will be adhered to, and the time mentioned therein, shall start running from the date of passing of this order.

5] With the above observations, writ petition stands disposed of.

**[N.W. SAMBRE]
JUDGE.**