

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8289 OF 2015

Shri Shivaji s/o Gundaji Jagtap

...PETITIONER

VERSUS

The State of Maharashtra
and others.

...RESPONDENTS

...

Mr. B.R. Kedar Advocate for Petitioner.

Mr. P.S. Patil, A.G.P. for Resp. No.1.

Mr. S.V. Munde Advocate for Resp. Nos.2 to 4.

...

CORAM: R.M. BORDE AND
A.I.S. CHEEMA, JJ.

DATE : 7TH DECEMBER, 2015

ORDER :

1. Heard.

2. The Petitioner has been denied electricity supply for operating electricity pump on a bore well sunk by him in Survey No.253/1 of Latur. The denial is on the ground of arrears

payable by the consumer to the tune of Rs.1,07,300/- (Rupees One Lakh Seven Thousand Three Hundred). The Petitioner contends that there was partition between his family members inter-se and the area wherein new bore well has been sunk, has fallen in his share.

3. However, without going into the merits of the contentions, if the Petitioner deposits the amount as claimed without prejudice to his rights and contentions, the Respondent No.4 -Electricity Distribution Company can be directed to supply the electricity. It is informed that there is remedy available to the Petitioner for redressal of his grievances as provided under Section 42(5) of the Electricity Act, 2003.

4. It would be open for the Petitioner to avail of the remedy available in law in respect of demand of the amount made by Respondent Electricity Distribution Company and if the

Petitioner avails of the remedy as referred to above, the concerned Authority may consider and decide the challenge in accordance with law.

5. The Petitioner without prejudice to his rights and contentions shall deposit an amount of Rs.1,07,300/- (Rupees One Lakh Seven Thousand Three Hundred) within period of four weeks from today with the Respondent Electricity Distribution Company and on making such deposit, the Respondent Electricity Distribution Company shall provide electricity connection, subject to demand of usual charges for providing connection etc., as expeditiously as possible, preferably within period of four weeks from the date of receipt of such amount.

6. With the directions as above, the Writ Petition stands disposed of.

[A.I.S. CHEEMA, J.]

[R.M. BORDE, J.]