

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10756 OF 2014

M/s. Ankita Industries. .. Petitioner
Vs
Maharashtra State Electricity Board
and Another. .. Respondents
—
Shri Abhinandan Joshi, the Director of the Petitioner present.
Shri Nirav Shah i/by Little & Co for Respondent No.1.
Mrs. M.P. Thakur, AGP for the Respondent No.2.
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CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ
DATED : 26TH JUNE 2015

PC.

1. Heard the Director of the Petitioner Company appearing in person. The learned counsel appearing for the first Respondent invited our attention to the provisions of the Sub-section (6) of Section 42 of the Maharashtra Electricity Supply Act, 2003. He submits that as the Petitioner is a person whose premises for the time being are connected for the purpose of receiving electricity, the Petitioner is a consumer within the meaning of Sub-section (15) of Section 2 of the said Act of 2003. He, therefore, submits that the remedy of the Petitioner is to make a representation to the Ombudsman as provided in Sub-section (6) of Section 42 of the said Act of 2003. The learned counsel appearing for the first Respondents further states that as of today, there is no threat of disconnection of the electricity supply.

2. It appears that the pending dispute is only about the penalty amount. We accept the aforesaid statements made by the learned counsel appearing for the first Respondents.

3. In view of the aforesaid statements, we direct that it will be open for the Petitioner to make a representation for redressal of his grievances to the Authority as specified in Sub-section (6) of Section 42 of the said Act of 2003. If such a representation is made, the Ombudsman shall settle the grievance of the Petitioner as expeditiously as possible and in any event, within a period of three months from the date on which such a representation is made.

4. All the contentions of the Petitioner and the first Respondent are kept open.

5. The Petition is disposed of on above terms.

6. The Ombudsman shall act upon an authenticated copy of this order.

(REVATI MOHITE DERE, J)

(A.S. OKA, J)