

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 1165 of 2010 (U)

PETITIONER(S):

M/S.INDIA TELECOM INFRA LTD.,
NO.42/1237(1), 2ND FLOOR, V.S.ARCADÉ,
POWER HOUSE ROAD, OPP.POWER HOUSE, KACHERIPPADY,
COCHIN-682018, REPRESENTED BY ITS CIRCLE HEAD-
BOBBY SEBASTIAN.

BY ADVS.SRI.SATHISH NINAN
SRI.SANTHOSH MATHEW
SRI.ARUN THOMAS
SRI.JENNIS STEPHEN

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS SECRETARY, BOARD SECRETARIAT,
VYDYUTHIBHAVANAM, THIRUVANANTHAPURAM.
2. THE CHIEF ENGINEER (COMMERCIAL & TARIFF)
KERALA STATE ELECTRICITY BOARD, VYDYUTHIBHAVANAM,
THIRUVANANTHAPURAM.
3. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SECTION, KSEB, THEVAKKAL
ERNAKULAM DISTRICT.

R,R1 TO 3 BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B
R1-R3 BY STANDING COUNSEL SRI.RAJU JOSEPH (SR.)
R1-R3 BY ADV. SRI.K.T.PAULOSE, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.1165 OF 2010

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : PHOTOCOPY OF THE MAHAZAR DATED 12.10.2009
- EXHIBIT P2 : PHOTOCOPY OF THE BILL FOR AN AMOUNT OF RS.73,000/- ISSUED BY THE THIRD RESPONDENT.
- EXHIBIT P3 : PHOTOCOPY OF THE REPLY DATED 28.10.2009 FILED BEFORE THE THIRD RESPONDENT.
- EXHIBIT P4 : PHOTOCOPY OF THE CHEQUE DATED 30.10.2009 FOR AN AMOUNT OF RS.31,500/-
- EXHIBIT P5 : PHOTOCOPY OF THE ARGUMENT NOTE DATED 27.11.2009
- EXHIBIT P6 : PHOTO COPY OF THE ORDER PASSED BY THE THIRD RESPONDENT.
- EXHIBIT P7 : PHOTOCOPY OF THE RECEIPT ISSUED BY THE THIRD RESPONDENT FOR THE PAYMENT OF REGULARISATION APPLICATION 2.12.2009
- EXHIBIT P8 : PHOTOCOPY OF THE BOARD ORDER NO.G.O. (FO) NO.46/2003 (PLG.COM.4206/01) DATED 15.1.2003.
- EXHIBIT P9 : PHOTO COPY OF THE TARIFF ORDER DATED 1.1.2006.
- EXHIBIT P10 : PHOTO COPY OF THE CONNECTION DIAGRAM OF A STANDARD TOWER WITH FUNCTIONS ETC.
- EXHIBIT P11 : PHOTO COPY OF THE CIRCULAR DATED 8.7.2008.
- EXHIBIT P12 : PHOTO COPY OF THE DECISION REPORTED IN 2007(3) KLT 388.
- EXHIBIT P13 : PHOTO COPY OF THE NOTIFICATION DATED 24.10.2008 ISSUED BY THE KERALA STATE ELECTRICITY REGULATORY COMMISSION.
- EXHIBIT P14 : PHOTO COPY OF THE INTERIM ORDER DATED IN W.P. (C) NO.8060 OF 2009.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.1165 of 2010

Dated this the 16th day of January, 2015

J U D G M E N T

There is evidently a mistake in the amount demanded under Ext.P2 bill. The amount has not been correctly computed in accordance with the schedule of tariff. I set aside Ext.P2 bill and remit the matter to the third respondent. The third respondent shall reconsider the issue after notice to the petitioner. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.