

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 2306 of 2015 (K)

PETITIONER:

**ABDUL SALAM
S/O KOCHUKUNJU, KODIYIL HOUSE, PALLISSERI P.O.
SHASTHAMKOTTA KOLLAM.**

BY ADV. SRI.V.JAYAPRADEEP

RESPONDENTS:

- 1. THE KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VYDHYUTHI BHAVAN, PATTOM
THIRUVANANTHAPURAM.**
- 2. THE DY. CHIEF ENGINEER
ELECTRICAL CIRCLE
THIRUVANANTHAPURAM (URBAN)
KERALA STATE ELECTRICITY BOARD
NEDUMANGAD, THIRUVANANTHAPURAM - 695 010**
- 3. ASST. ENGINEER
ELECTRICAL SECTION, NEDUMANGAD
KERALA STATE ELECTRICITY BOARD, NEDUMANGAD
THIRUVANANTHAPURAM - 695 010**

BY SRI.SAJEEVKUMAR K.GOPAL, SC, KSEB

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 2306 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: THE COPY OF THE MAHAZAR DATED 06.06.2012

EXHIBIT P2: THE COPY OF THE ASSESSMENT ORDER DATED 7.6.2012.

EXHIBIT P3: THE COPY OF THE REPRESENTATION DATED 14.6.2012 BY THE PETITIONER TO THE 3RD RESPONDENT.

EXHIBIT P4: THE COPY OF THE FINAL ASSESSMENT ORDER DATED 18.6.12 PASSED BY THE 3RD RESPONDENT.

EXHIBIT P5: THE COPY OF THE INTERIM ORDER IN I.A.NO.240/2012 IN CC 203/2012 DATED 30.6.2012.

EXHIBIT P6: THE COPY OF THE REPRESENTATION DATED 29.12.2014.

EXHIBIT P7: THE COPY OF THE APPEAL, DATED 6.1.2015.

EXHIBIT P8: THE COPY OF THE SAID NOTICE DATED NIL.

EXHIBIT P9: COPY OF THE ORDER DATED 16.8.14 OF THE DISTRICT CONSUMER REDRESSAL FORUM, THIRUVANANTHAPURAM.

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 2306 OF 2015

Dated this the 22nd day of January, 2015

JUDGMENT

Ext. P9 order passed by the District Consumer Disputes Redressal Forum grants liberty to the petitioner to file an appeal against Ext. P4 final assessment order. It was also made clear in Ext. P9 order that the petitioner can avail the benefit of Section 14 of the Limitation Act for the time spent in prosecuting the litigation against Ext. P4 order.

2. It is now conceded that appellate authority has been constituted in terms of the decision in **Muhammed Haji v. Kerala State Electricity Board [2014(3) KLT 706]**. An appeal therefore lies to the newly constituted appellate authority under Section 127 of the Electricity Act, 2003 against Ext. P4 order.

3. Any such appeal filed by the petitioner within three weeks from today shall be entertained by the appellate authority in terms of Section 127 of the Electricity Act. Such appeal accompanied by the statutory deposit shall be dealt with on merits as expeditiously as possible.

4. The electricity supply shall be restored to the petitioner on his depositing one half of the amount demanded under Ext. P4 order. This is subject to the condition that the petitioner has not kept any other dues to the respondents.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS