

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 25935 of 2010 (N)

PETITIONER:

**VAIKOM SATYAGRAHA MEMORIAL HOSPITAL,
REPRESENTED BY ITS ADMINISTRATOR, WEST GATE
VAIKOM-686141.**

**BY ADVS.SRI.N.NAGARESH
SRI.SHAJI THOMAS PORKKATTIL
SRI.BINU PAUL
SRI.T.V.VINU**

RESPONDENTS:

- 1. ASSISTANT ENGINEER, KERALA STATE
ELECTRICITY BOARD, ELECTRICAL SECTION, VAIKOM-686141.**
- 2. MANAGING DIRECTOR, BAHULEYAN CHARITABLE
FOUNDATION INDO AMERICAN HOSPITAL, BRAIN &
SPINE CENTRE, BUILDING NO.VIII/287 (A), CHEMMANAKARI
VAIKOM-686143.**

**R1 BY SRI. S. SHARAN, SC, KSEB
SRI.P.P.THAJUDEEN, SC, K.S.E.B
SRI.C.K.KARUNAKARAN, SC FOR KSEB
R2 BY ADVS. SRI.T.A.SHAJI
SMT.MALU JOHN
SMT.BIMALA BABY**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COMPUTER COPY OF THE COMMON JUDGMENT DATED 11.1.2010 IN W.A. NOS. 1217 AND 1227 OF 2007 OF THIS HON'BLE COURT**
- P2 : COPY OF LETTER NO. BB/VKM/REV/10-11 DATED 26.07.2010 ALONG WITH THE ATTACHED REVISED BILL AND STATEMENT OF ENERGY CHARGES ISSUED BY THE 1ST RESPONDENT**
- P3 : COPY OF THE REPRESENTATION DATED 02.08.2010 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT**

RESPONDENT(S)' EXHIBITS:-

- R2(a) : TRUE COPY OF THE INTERIM ORDER DATED 11.12.2009 IN I.A. NO. 1395/2009 IN RFA NO. 264/2009 OF THIS HON'BLE COURT**
- R2(b) : TRUE COPY OF THE COMMUNICATION DATED 16.08.2010 ISSUED BY THE 2ND RESPONDENT**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 25935 OF 2010

Dated this the 03rd day of July, 2015

JUDGMENT

Heard the counsel for the parties and the writ petition is disposed of on consensus.

2. Amounts are due from the petitioner to the second respondent who has been found liable to pay the electricity dues. The petitioner has undertaken to clear the electricity dues and adjust the amount due from him to the second respondent. The amount demanded in Ext.P2 revised bill with applicable interest shall be paid by the petitioner in five equal monthly instalments starting from 31.07.2015.

3. The electricity connection shall not be snapped if the petitioner complies with the conditions in time. The coercive steps can be taken by the first respondent if any one instalment is defaulted by the petitioner.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS