

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 34117 of 2015 (L)

PETITIONER(S):

- 1. MUHAMMED, S/O.MAKKAR,
MATTAKOMBIL HOUSE, METHALA,
ASAMANNUR VIA, ERNAKULAM.**
- 2. AJEEB, S/O.MUHAMMED,
MATTAKOMBIL HOUSE, METHALA,
ASAMANNUR VIA, ERNAKULAM.**

**BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.K.R.MONISHA**

RESPONDENT(S):

- 1. KERALA STATE ELECTRICITY BOARD LIMITED,
REPRESENTED BY ITS SECRETARY,
VYDYUTHI BHAVAN, PATTOM P.O.,
THIRUVANANTHAPURAM - 695033.**
- 2. THE ASSISTANT EXECUTIVE ENGINEER,
KERALA STATE ELECTRICITY BOARD LIMITED,
ELECTRICAL DIVISION, PERUMBAVOOR - 683542.**
- 3. THE ASSISTANT ENGINEER,
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL DIVISION, KURUPPAMPADY - 683545.**

BY SRI.JAICE JACOB,SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT-P1: TRUE COPY OF NOTICE NO.BB/KRPDY/14-15 ISSUED BY THE 3RD RESPONDENT DATED 23.10.2014.
- EXHIBIT-P2: TRUE COPY OF REPLY ISSUED BY THE 3RD RESPONDENT TO THE 1ST PETITIONER DATED 13.04.2015.
- EXHIBIT-P3: TRUE COPY OF NOTICE NO.BB/UAE/KRPDY/15-16 ISSUED BY THE 3RD RESPONDENT TO THE 1ST PETITIONER DATED 27.05.2015.
- EXHIBIT-P4: TRUE COPY OF THE RECEIPT ISSUED BY THE 1ST RESPONDENT TO THE 1ST PETITIONER DATED 03.06.2015.
- EXHIBIT-P5: TRUE COPY OF THE ELECTRICITY DISCONNECTION NOTICE ISSUED BY THE 3RD RESPONDENT TO THE 1ST PETITIONER DATED 28.09.2015.
- EXHIBIT-P6: TRUE COPY OF THE ORDER OF THE HIGH COURT OF KERALA IN W.P.(C) NO.29729/2015 DATED 1.10.2015.
- EXHIBIT-P7: TRUE COPY OF BB/UAE/KRPDY/2015-16/25 ISSUED BY THE 3RD RESPONDENT DATED 30.09.2015.
- EXHIBIT-P8: TRUE COPY OF PROVISIONAL BILL ISSUED BY THE 3RD RESPONDENT TO CONSUMER NO.13898 DATED 29.9.2015.
- EXHIBIT-P9: TRUE COPY OF THE OBJECTION SUBMITTED BY THE 1ST PETITIONER TO THE 3RD RESPONDENT DATED 6.10.2015.
- EXHIBIT-P10: TRUE COPY OF ORDER NO.DB37/15-16/AE-KRPDY/82 ISSUED BY THE 3RD RESPONDENT DATED 3.11.2015.
- EXHIBIT-P11: TRUE COPY OF FINAL BILL ISSUED BY THE 3RD RESPONDENT TO CONSUMER NO.13898 DATED 3.11.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 34117 of 2015

Dated this the 17th day of November, 2015

JUDGMENT

The challenge in the writ petition is against Ext.P10 order passed by the 3rd respondent and Ext.P11 consequential final bill, that was served on the petitioners under the Electricity Act. When the matter was taken up for orders today, it is submitted by counsel for the petitioners that, they have taken steps to prefer an appeal against Ext.P10 order of the 3rd respondent and they have time till 03.12.2015 for preferring the appeal in accordance with the provisions of Electricity Act. Taking note of the said submission of counsel for the petitioners, I dispose the writ petition by extending the interim order dated 11.11.2015 granted by this Court, against recovery proceedings, for a period of one month, so as to enable the petitioners to pursue their appellate remedy against Ext.P10 order of the 3rd respondent.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE