

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

WRIT PETITION Nos. 28153 and 29181 of 2010

27-11-2015

WRIT PETITION No. 28153 of 2010

Between:

M/s. Annapurna Gardens,
Hyderabad.

... Petitioner

And

Central Power Distribution Company of A.P. Limited,
Rep. by its Vice Chairman and Managing Director,
Vidhyut Soudha, Somajiguda,
Hyderabad, and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

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WRIT PETITION Nos. 28153 and 29181 of 2010

COMMON ORDER: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

In the first writ petition, the petitioner sought writ of mandamus declaring the action of respondents in disconnecting commercial service connection No.8205 01662 8205, belonging to the petitioner for not paying the alleged arrears of Rs.76,549/- for S.C.No.8205-602 and Rs.82,378/- for S.C.No.8205-603, as arbitrary and illegal. Further, they sought direction to the respondents to restore power supply to the commercial service connection. Subject matter of other writ petition is also same, but that writ petition is filed by Proprietor of the petitioner in the first writ petition. Prayer in both the writ petitions is similar.

This Court, while admitting the writ petitions, had granted interim directions as prayed for, on condition the petitioners depositing the amount of Rs.40,000/-, within a period of four weeks from the date of the orders. The orders were passed on 16.11.2010 and 24.11.2010. This Court is informed that the amount as directed by this Court was deposited.

During the pendency of the second writ petition, the petitioner died and in her place, Proprietor of the petitioner in the first writ petition is brought on record as the sole representative.

In this backdrop, a suggestion was made to learned counsel for the parties and they have agreed for the same. Hence, I dispose of both the writ petitions by the following order:

The petitioners in both the writ petitions shall make a representation to the respondents within a period of two weeks from today seeking either waiver of the remaining amount or cancellation of demand notice, as the case may be.

If the representation as aforementioned is made by the petitioners, the concerned authority of the respondents shall consider the same and dispose it of as expeditiously as possible and preferably, within a period of eight weeks from the date of receipt of the representation. If the order passed by the concerned authority is adverse to the petitioners, it would be open to the petitioners to take appropriate remedy against such order subject to the petitioners depositing the amount as determined after considering their representation.

It is needless to mention that the amount deposited by the petitioners, shall not be refunded.

Miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, ACJ

27.11.2015

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