

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.12385 of 2015

ORDER:

Heard learned counsel appearing for the petitioner and learned Standing Counsel for SPDCL appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the 4th respondent in not accepting the petitioner's request for compounding the offence in Cr.No.3940 of 2014, as illegal and arbitrary.

When the matter has come up for hearing, learned counsel on either side conceded that the issue involved in this writ petition is squarely covered by the order of this Court in W.P.No.30982 of 2014, dated 16.10.2014, wherein learned Single Judge of this Court took the view that the consumer has a right to seek compounding of offence, which is unconnected with the civil liability.

Following the same, this Writ Petition is disposed of directing the 4th respondent to accept the request of the petitioner for compounding the offence without insisting proof of payment of any part of the provisional assessment amount. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

27th April, 2015

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