

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

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WRIT PETITION No.35793 of 2015

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ORDER: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ petition is filed for a Certiorari to call for the records relating to the orders dated 29.07.2015 passed in I.A.No.95 of 2015 in C.C.No.92 of 2015 from the District Consumer Disputes Redressal Forum, Karimnagar, and quash the said order.

The petitioner has four service connections bearing Nos.388, 389, 397 and 475 for electricity supply to Navabharath Industries situated at Regudu Village of Sircilla Mandal in Karimnagar District. All the four service connections were disconnected on account of failure to pay the demanded amount of arrears. When demand was made for payment of total arrears amounting to Rs.15,18,254/- in respect of the said four service connections, the petitioner approached the District Consumer Disputes Redressal Forum by lodging a complaint in C.C.No.92 of 2015. Pending the said C.C., the petitioner filed I.A.No.95 of 2015, seeking a direction to the respondents to restore power supply to Service Connection bearing Nos.388 and 389 pending disposal of the main complaint. In the said I.A., the District Consumer Disputes Redressal Forum has passed the impugned order directing the respondents to restore the electricity service connection Nos.388 & 389 on receiving 1/3rd of the total due amount of Rs.15,18,254/-.

In this writ petition, it is the grievance of the petitioner that she sold part of Navabharath Industries including Service Connection bearing Nos.397 & 475 attached thereto and that applications seeking transfer of those two service connections in favour of the purchasers, were filed long back and the same are pending.

It is contended by learned counsel for the petitioner that at best the respondents can demand for collection of arrears in respect of Service Connection Nos.388 and 389, but not of 397 & 475.

In this case, it is not in dispute that all the four Service Connections bearing Nos.388, 389, 397 & 475 stand in the name of the petitioner and the applications filed for transfer of Service Connection Nos.397 & 475 are pending consideration. In view of the fact that all the four Service Connections stand in the name of the petitioner, it cannot be said that the condition imposed by the District Consumer Disputes Redressal Forum for restoration of power supply in respect of Service Connection Nos.388 and 389, is unreasonable. Though it is contended by learned counsel for the petitioner that arrears concerning Service Connection Nos.397 & 475 are payable by the purchasers, the same requires to be considered at the time of disposal of C.C.No.92 of 2015. But, as of now all the four Service Connections stand in the name of the petitioner. Therefore, the condition imposed by the District Consumer Disputes Redressal Forum is just and reasonable. In these circumstances, we are of the view that there are no merits to interfere with the impugned order. However, as it is stated that the applications, for transfer of Service Connection Nos.397 & 475 in favour of the purchasers, are pending consideration, the respondents shall consider the same, if they are filed in accordance with the terms and conditions of the power supply and other provisions of Electricity laws, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

Subject to the above, the writ petition is disposed of. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

03.11.2015

v v