

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.5395 OF 2003

ORDER:

The writ petition is filed challenging the proceedings dated 20.02.2003, 15.07.2002 and 13.02.2001 of the respondent Nos.2,3 and 4 respectively.

Earlier the writ petition was dismissed by this Court on 30.08.2012 for non prosecution and subsequently the same was restored to file vide order dated 30.11.2015 of this Court in W.P.M.P.No.19595 of 2015. A perusal of the impugned orders reveal that the writ petitioner was using the power on the date of inspection though the power was disconnected to his unit for non payment of monthly consumption charges on 20.11.2000. This fact was confirmed in Appeal by the appellate authority as well. At the time of admission of the writ petition, power was directed to be restored to the petitioner's unit on payment of Rs.20,000/- and thereafter, this Court in W.P.M.P.No.7101 of 2003 directed the petitioner to pay the balance sum of Rs.60,633/-. However, petitioner did not comply with the same. Learned counsel for the petitioner submits that on 05.03.2005 a sum of Rs.52,250/-, on 18.03.2006 a sum of Rs.13,730/- and on 20.04.2006 a sum of Rs.13,680/- has been paid.

On the other hand, in the counter-affidavit filed by the respondents-authorities, it has been claimed that a sum of Rs.17,383/- is still due and payable by the petitioner. Further, in W.P.M.P.No.19596 of 2015, petitioner seeks stay of payment of Rs.1,66,939/- included in the electricity bill dated 25.03.2015. It is the allegation of the petitioner that the petitioner was not furnished with the details of Rs.1,66,939/-. Inasmuch as the bill dated 25.03.2015 is not the subject matter of the W.P.No.5395 of 2003, there is no requirement of passing any orders in W.P.M.P.No.19596 of 2015. However, the learned standing counsel for the respondents submits

that they would furnish the details of bills in relation to Rs.1,66,939/- to the petitioner. As and when the details of the bills are furnished to the petitioner, the petitioner is at liberty to take necessary steps to question the same in accordance with law. So far as the impugned orders are concerned, there being no infirmity in the factual finding of the petitioner utilising the power after disconnection on 29.11.2000 the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. However, the dismissal of the writ petition does not preclude the petitioner to approach the respondents-authorities and seek reconnection of power supply afresh subject to his right to challenge the demand of additional amount of Rs.1,66,939/-. No order as to costs.

Miscellaneous Petitions pending, if any, in this writ petition shall stand dismissed.

CHALLA KODANDA RAM,J

Date:29.12.2015.

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THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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