

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.19205 of 2012

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08.07.2015

Between:

M/s.Shyam Baba Ferro Alloys (P) Ltd.
Hyderabad

...Petitioner

And

The Central Power Distribution Company Limited of A.P.,
Hyderabad and others

...Respondents

Counsel for the petitioner: Mr.M.P.Chandramouli

Counsel for the respondents: Mr.R.Vinod Reddy,
standing counsel for TS CPDCL

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The Court made the following:

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ORDER:

In this writ petition, the petitioner questions the power of the respondents to demand and collect two months consumption deposit even though it is willing to receive power supply through pre-paid meters under Section 47(5) of the Electricity Act, 2003.

At the hearing, it is submitted that the period *viz.*, 2012-13 for which the additional consumption deposit was demanded has already expired. It has also come to light that after filing of this writ petition, the Andhra Pradesh Electricity Regulatory Commission has amended Clause 4(3) of Regulation No.6 of 2004, *vide* Regulation 3 of 2013, which has a direct bearing on the issue raised by the petitioner. Unless the petitioner questions this amendment, it is not possible to grant any relief to it.

In this view of the matter, the Writ Petition is dismissed as infructuous with liberty to the petitioner to raise the question of demand of additional consumption deposit in future by raising all legally permissible grounds, including those raised in this writ petition.

As a sequel to dismissal of this writ petition, interim order, dated 27.06.2012 in W.P.M.P.No.24588 of 2012 is vacated and W.P.M.P.No.24588 of 2012 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

08th July, 2015

GHN

