

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Date of Decision: 27.03.2015

+ **CS(OS) 509/2007, IA No.6063/2008**

NORTH DELHI POWER LTD. Plaintiff

Through: Mr. Rahul Malhotra, Adv.

versus

SMT. VEENA RANI AC+ Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Open Court)

This is a suit for recovery of Rs.24,39,508/- with interest @ 18% per annum. It is the plaintiff's case that the defendant is a consumer of electricity which was supplied to her premises bearing Khasra No.80, Samaipur, Delhi through meter bearing K.No.454011231890. Bills were raised for the electricity connected against which the defendant made partial payments. A balance of Rs.24,39,508/- remains to be paid on which, the defendant is liable to pay late payment interest @ 18% per annum as per the terms of the bill. The details of the bills raised from October, 2003 are as under:

<i>Date of Bill</i>	<i>Net Demand</i>
<i>27.10.2003</i>	<i>Rs.55,984/-</i>
<i>28.11.2003</i>	<i>Rs.82,448/-</i>
<i>27.12.2003</i>	<i>Rs.56,281/-</i>
<i>04.02.2004</i>	<i>Rs.6,78,755/-</i>
<i>Up to 20.9.2005</i>	<i>Rs.30,86,558/-</i>

20.10.2005	Rs.32,84,073/-
20.11.2005	Rs.33,22,005/-
24.12.2005	Rs.34,37,353/-
31.01.2006	Rs.19,65,235/-
22.2.2006	Rs.20,78,591/-
20.3.2006	Rs.21,96,178/-
25.5.2006	Rs.23,41,143/-
25.6.2006	Rs.23,73,766/-
Up to January, 2007	Rs.24,39,508/-

As against the aforesaid bills, the defendant has made payment of following amounts annually to the plaintiff.

<i>Date of Bill</i>	<i>Amount paid</i>
9.10.2003	Rs.65,000/-
31.10.2003	Rs.50,000/-
November, 2003	Nil
22 nd December, 2003	Rs.50,000/-
February, 2004	Nil
Up to November, 2005	Nil
3 rd December, 2005	Rs.80,000/-
30 th December, 2005	Rs.40,000/-
31 st December, 2005	Rs.40,000/-
1 st & 2 nd February, 2006	Rs.80,000/-
28 th February, 2006	Rs.80,000/-
7 th April, 2006	Rs.35,000/-
3 rd May, 2006	Rs.40,000/-
2 nd June, 2006	Rs.35,000/-
Up to January, 2007	Nil

The averments in the plaint have been supported through the evidence of Mr. Jasmeet Singh, Assistant Manager of the plaintiff. The defendant has been proceeded *ex parte* on 12.11.2013. The plaintiff's case is that after adjusting the amounts received from the defendant an amount of

Rs.24,39,508/- still remains outstanding. There is no rebuttal of the claims of the plaintiff. There is no reason to disbelieve the same. The plaintiff has made out a case for grant of the reliefs sought. Accordingly, the suit is decreed in terms of prayer clause (a) of the plaint. The plaintiff has claimed pendente lite and future interest @ 18% per annum. However, this Court deems it appropriate to award interest @ 9% per annum, which shall be payable from the date of filing the suit till the realization of the decretal amount.

Let the decree sheet be drawn up accordingly.

The suit is disposed off in the above terms.

NAJMI WAZIRI, J

MARCH 27, 2015/ak