

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1790 of 2016

- Sai Lilagar Power Limited (Formerly M/s Arasmeta Captive Power Company Limited), A Company Incorporated Under The Companies Act, 1956, Having Its Registered Office At 8-2-293/82/ A/431/ A, Road No. 22, Jubilee Hills, Hyderabad & Works At _# C-5, P. O. Gopal Nagar, District Janjgir Champa (Chhattisgarh) Through Its Authorized Representative.

---- Petitioner

Versus

- Chhattisgarh State Power Trading Company Limited Through Its Managing Director, Vidyut Sewa Bhawan, Dangania, Raipur, District Raipur (Chhattisgarh)

---- Respondent

For Petitioner

Shri Ashish Shrivastava, Advocate

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

18/07/2016

1. The grievance of the petitioner is that petitioner's claim of delayed payment surcharge against the bill raised as per the power purchase agreement executed with the respondent for power supply till 01.04.2011 to 15.07.2011 has remained undecided till date.
2. According to the learned counsel for the petitioner, the petitioner is entitled to payment of surcharge because of delay in payment of bill for supply of electricity. Learned counsel would further submit that in similar writ petition bearing WPC No.1597/2015 (Jayaswal Neco Industries Limited v. Chhattisgarh State Power Trading Company

Limited), this Court vide order dated 09.09.2015 directed the respondent to decide petitioner's representation in accordance with the terms and conditions of power purchase agreement, therefore, the matter being similar, the petitioner is also entitled for similar order.

3. Considering the order passed by this Court in Jayaswal Neco Industries Limited (supra) (Annexure-P-7), the writ petition is disposed of with a direction that the respondent shall decide the petitioner's representation dated 03.06.2015 expeditiously, preferably within a period of 3 months from the date of receipt of certified copy of this order.
4. If the grievance of the petitioner is not redressed, it will remain open for the petitioner to take recourse to remedy as may be available to it in law.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

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