

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 7043 OF 2016
IN
WRIT PETITION NO. 3519 OF 2016**

Dr. Babasaheb Ambedkar Backward
Class C, Co-op. Spinning Mill Ltd.
situated at Peth Shivni, Tq. Pallam
Dist. Parbhani through its Chairman ...APPLICANT

versus

The Maharashtra State Electricity
Generation Company Ltd and others ...RESPONDENTS

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Mr. R.D. Biradar, Advocate for applicant -original petitioner
Mr. A.R. Salve, Advocate for respondents

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**CORAM : K.K. SONAWANE, J.
VACATION COURT**

DATED : 16th MAY, 2016.

Order :-

1. Heard learned counsel for applicant-original petitioner. Perused the application.
2. It has been contended that applicant - original petitioner had filed writ petition No. 3519 of 2016 before this court, in which this court has granted liberty to approach to the appropriate authority i.e. Consumer Grievance Redressal Forum (CGRF) within a period of four weeks to redress grievances. The directions were also issued for restoration of electric supply subject to deposit of Rs. 20,00,000/-(Rupees Twenty Lakhs) immediately and amount of Rs.30,00,000/-(Rupees Thirty Lakhs) within a period of four weeks with the Respondent. It has been contended that applicant has already deposited Rs.20,00,000/-(Rupees Twenty Lakhs) with respondent on 06-04-2016, but the applicant could not manage to deposit rest of the amount of Rs.30,00,000/-(Rupees Thirty Lakhs) within

stipulated period of four weeks. Therefore, applicant preferred the civil application No. 6147 of 2016 before this court for extension of time.

3. After considering the circumstances, in the interest of justice time to deposit the remaining amount of Rs.30,00,000/-(Rupees Thirty Lakhs) was extended till 16-05-2016 by this court. But, due to financial crises, the applicant failed to deposit the amount within extended period granted by this court. Therefore, once again applicant preferred the present civil application for further extension of time to deposit the amount of Rs.30,00,000/-(Rupees Thirty Lakhs) in the office of respondents No. 5 and 6.

4. Mr. Salve, learned counsel appearing for respondents submitted that applicant - petitioner has already deposited Rs.20,00,000/-(Rupees Twenty Lakhs) with office of respondents No. 5 and 6, but did not deposit rest of the amount as per conditions imposed by this court. Therefore, no further extension be granted to the applicant – petitioner and dismiss the petition.

5. Admittedly, this court has specifically given directions earlier to the applicant to deposit Rs.30,00,000/-(Rupees Thirty Lakhs) within a period of four weeks without any further extension. However, in the interest of justice, this court by exercising the discretion passed the order dated 02-05-2016 and extended period until 16-05-2016 for depositing rest of the amount of Rs.30,00,000/-(Rupees Thirty Lakhs) with the respondent Nos. 5 and 6. But, the applicant did not comply with the said order and once again sought extension of time. It has been submitted that electricity supply has already been restored to the industrial unit of the petitioner. There are number of labourers engaged in the Spinning mill of the

applicant -petitioner. In case, electricity supply is disconnected for non payment of amounts, it would create problem of bread and butter of labourers. Moreover, it would also cause prejudice and irreparable loss to the applicant. Therefore, applicant once again prayed for extension of time, in the interest of justice.

6. Taking into consideration the factual scenario and the petitioner being industrial unit, I find it justifiable to allow one more opportunity to the applicant - petitioner for depositing amount of Rs.30,00,000/-(Rupees Thirty Lakhs). The learned counsel appearing for applicant has given undertaking that applicant will deposit entire rest of the amount of Rs.30,00,000/-(Rupees Thirty Lakhs) by 30-05-2016 and he will not seek any further extension of time to deposit the same.

7. In view of undertaking of the applicant – petitioner, in the interest of justice, period to deposit amount of Rs.30,00,000/-(Rupees Thirty Lakhs) with office of respondents No. 5 and 6 is extended till 30-05-2016. In case, the applicant fails to comply with this direction, respondents -authorities are at liberty to take appropriate action against the applicant.

8. In view of aforesaid, civil application stands disposed of. No order as to costs.

9. Parties to act upon authenticated copy of this order.

Sd/-
[K. K. SONAWANE, J.]

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