

THE HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No.38860 of 2016

ORDER:

Heard Sri Bobbili Srinivas for petitioner and Sri M.Ravindra for respondents.

The petitioner challenges Assessment Lr.No.ADE/ O/ / F.NO./ D. No.845 dated 07-09-2016 together with bill dated 13-10-2016 as arbitrary, illegal and unavailable in the facts and circumstances of the case.

Learned counsel for petitioner by chronologically demonstrating the happenings in the matter of verification of alleged defective meter at subject premises, persuades this Court to interdict the notice and demand referred to above. This court to the limited extent of imposing condition is persuaded by the submission of petitioner, is not inclined to entertain the writ petition for counsel for respondents rightly points out that the representation filed by petitioner on 22-09-2016 before the 3rd respondent is pending as on date, the allegations of petitioner cannot be adjudged at this stage of the matter he prays for dismissal of the writ petition. He alternatively submits that the 3rd respondent can be directed to dispose of the representation filed on 22-09-2016 and the petitioner may be put to conditions in the meantime for continuation of supply to subject meter.

I have taken notice of submissions of learned counsel representing the parties. The writ petition is disposed of by this order :-

- (a) The petitioner is directed to pay 25% of
Rs.4,14,263/- and October, 2016 consumption

charges amounting to Rs.71,433/- within four weeks from today.

(b) The 3rd respondent is directed to pass orders on representation dated 22-09-2016 within eight weeks from today.

(c) As the circumstances warrant, the 3rd respondent is also given liberty to refer the matter to Civil Court, if necessary.

(d) Till a decision is taken and communicated, the respondents are directed not to disconnect power supply of subject connection.

(e) The petitioner is under obligation to pay current consumption charges during consideration of representation by respondents.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 10-11-2016
Prv

S. V. BHATT, J

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Prv

