

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.41054 of 2015

ORDER :

Heard the counsel for petitioner and Sri M. Ravindra,
counsel for respondents.

2. The counsel for respondents has placed on
record a referred letter dt.04.01.2016 issued by 2nd
respondent to the following effect.

“Sir,

*Sub : Elecy – Operation Circle, Vizianagaram – Enhancement
of CMD from 1501KVA to 2500KVA to your industry –
Regarding.*

Ref. : 1.Lr.No.ADE/VZM-CSC/D.No.6966/15, dt.29.09.2015.

2.HTL000230, dt.29.09.2015

3.Lr.No.SE/O/VZM/CommI/F.HT/D.No.3643/15

dt.28.11.2015.

*It is to inform that, the letter addressed vide ref 3rd cited is
here with cancelled and further it is requested to submit consent
letter for payment of balance UCM charges as directed by
Hon’ble High Court against WP.No.16270 of 2014, for further
process of the your HT additional load application registered
vide ref 2nd cited at an earliest.*

Yours faithfully,

*Sd/-
Superintending Engineer
Operation : Vizianagaram”*

3. The learned Standing Counsel appearing for

respondents, states that subject to the petitioner giving an undertaking that he would pay the amount demanded by respondents, which is impugned in WP.No.16270 of 2014, the impugned order dt.28.11.2015 is being withdrawn by respondents.

4. The counsel for petitioner states that his client has no objection to give such an undertaking that in case the petitioner herein loses WP.No.16270 of 2014, he would pay the amounts (UCM charges) questioned by petitioner in that Writ Petition.

5. Therefore, keeping these two statements of the counsel for petitioner and the learned Standing Counsel for respondents on record, since the 2nd respondent undertakes to withdraw the impugned proceeding dt.28.11.2015 subject to the petitioner giving an undertaking as above, this Writ Petition is disposed on the ground that there is no cause of action to continue it. No order as to costs.

6. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 05-01-2016

Ndr/*