

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

**WRIT PETITION NO. 7250 OF 2014
WITH
CIVIL APPLICATION NO. 8967 OF 2016
AND
CIVIL APPLICATION NO. 4160 OF 2017
IN
WRIT PETITION NO. 7250 OF 2014**

Mukteshwar Upsa Jal-Sinchan Sahkari
Sanstha Maryadit
Through its Secretary
Vijay Vitthal Wagh

..PETITIONER

VERSUS

Maharashtra State Electricity Board Now
Maharashtra State Electricity Distribution Co. Ltd.
And Another

..RESPONDENTS

....
Mr. S.S. Kazi, Advocate for petitioner.
Mr. A.V. Shelke, Advocate for respondents.

....

**CORAM : M.S. SANKLECHA, J.
DATED : 21st APRIL, 2017**

ORDER :

1. This petition has been filed challenging the order dated 24th July, 2014 passed by the Joint Civil Judge, Senior Division, Vaijapur by which the petitioner's application to settle arrears of dues payable to respondent No.1 by availing of benefit of Abhay Yojana formulated by respondent No.1 was

rejected. This Court by an order dated 18th February, 2015 granted stay of the impugned order dated 24th July, 2014 upon the petitioner's depositing amount of Rs.10 lakh in this Court and the respondents were given liberty to withdraw the amount deposited by the petitioner.

2. Pending admission of the petition, this civil application is taken out by the petitioner stating that under a new scheme New Prakash Yojana formulated by respondent No.1 the entire dispute would be settled if it makes payment of Rs.14,03,442/- to the respondent No.1 before 30th April, 2017.

3. Mr. Kazi, learned Counsel for the petitioner states that amount of Rs.10 lakh which has been deposited can be withdrawn by the respondents alongwith interest accrued thereon and the petitioner undertakes to pay the balance amount of Rs. 4,03,442/- to the Respondent No.1 before 30th April, 2017. Thus making the entire payment of Rs.14,03,442/- before the cut off date.

4. Mr. Shelke, learned Counsel for respondents on instructions states that proposal placed by Mr. Kazi is acceptable to the respondent-Corporation. On instructions he further states that if the above payments

are made before the specified date the dispute would stand settled under the new scheme and electricity supply would not be disconnected. In any case, the respondent will not disconnect the electricity supply till 30th April, 2017 i.e. the time to pay Rs.4,03,442/- to the respondent No.1 – Corporation under the new scheme.

5. In view of the above, both the civil applications as well as the petition stands disposed of in the above terms.

(M.S. SANKLECHA, J.)

SSD