

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.11799 OF 2016**

Raju s/o Eknath Jadhav

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.K.C.Sant, advocate for the petitioner.

Mr.S.B.Joshi, A.G.P for Respondent No.1.

Respondent No.2 is deleted vide Court's order dated 29.11.2016.

Mr.S.M.Godsay, advocate for Respondents No.3 and 4.

Mr.S.B.Deshpande, Assistant Solicitor General for Respondent No.5.

**CORAM : R.M. BORDE AND
K.L. WADANE, JJ.**

DATE : 21st April, 2017

PC. :

1 The petitioner is objecting to the direction issued by Respondent No.4- Maharashtra State Electricity Distribution Company, asking the petitioner to deposit an amount to the extent of about Rs.23 lakhs and odd. The petitioner is also praying to quash the communication issued by Respondent No.4-MSEDCL to the police authorities to register an offence against the petitioner.

2 The petitioner has tendered an undertaking thereby agreeing to deposit the amount as demanded by Respondent No.4-MSEDCL including compounding charges. The undertaking is taken on record and

marked "X" for identification. As per the undertaking, the petitioner has agreed to deposit first instalment of Rs.5,00,000/- (Rs.Five lakhs) within two weeks from today i.e. on or before 4th May, 2017. He has also agreed to deposit second instalment of an amount of Rs.8,25,920/- (Rs.Eight lakhs Twenty five thousand Nine hundred twenty) on or before 20th July, 2017 and balance amount i.e. third instalment of Rs.10,00,000/- (Rs.Ten lakhs) towards compounding charges, on or before 20th October, 2017.

3 On deposit of first instalment of Rs.Five lakhs, Respondent No.4-MSEDCL shall reconnect the electricity supply to the industrial unit run by petitioner expeditiously and preferably within a period of seven days from the date of deposit of first instalment. In the event of failure of the petitioner to deposit second instalment of Rs.8,25,920/-, it would be open to Respondent No.4-MSEDCL to take coercive measures against the petitioner including disconnection of the electricity supply and may take appropriate steps as permissible in law. It is also clarified that on deposit of compounding charges of Rs.Ten lakhs, the petitioner would be entitled to the protection as provided under the Statute.

4 In view of above directions, writ petition is disposed of. We make it clear that this order is issued in the peculiar facts and circumstances of this case and shall not be construed as precedence.

(K.L. WADANE)
JUDGE

(R. M. BORDE)
JUDGE