

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.34818 OF 2017

M/s.Dosti Corporation (Pinnacle) & Ors. V/s. Maharashtra State Electricity Distribution Co. Ltd. & Ors.	...Petitioners ...Respondents
--	--

Mr.Nandkumar V. Sawant for the Petitioners.
Mr.Nirav Shah with Ms.Anuj Jaiswal i/b Little & Co. for the
Respondent Nos.1 to 3.

CORAM : R.D. DHANUKA, J.
DATE : 22ND DECEMBER, 2017.

P.C. :-

1. Learned counsel appearing for the respondents states that his clients have no objection to serve the provisional assessment passed under section 126(1) of the Electricity Act, 2003 to the petitioner nos.1 and 3 i.e. M/s.Dosti Corporation (Pinnacle) and M/s.Tata Consultancy Services Limited within one week from today. The statement is accepted.
2. The petitioner nos.1 and 3 would be at liberty to file the objections, if any, against the provisional assessment before the Assessing Officer under section 126(3) within two weeks from the date of service of the order of provisional assessment. It is made clear that no further extension would be granted.

3. The Assessing Officer shall thereafter pass an order under section 126(3) of the Electricity Act, 2003 after affording a reasonable opportunity of hearing to the petitioner nos.1 and 3 through their authorized representatives and shall pass a final order of assessment within 30 days from the date of service of the order of provisional assessment of the electricity charges payable by the petitioner no.1 or petitioner no.3, as the case may be.

4. In view of the statement made by the learned counsel for the respondents that a copy of the provisional assessment would be served upon the petitioner nos.1 and 4 within one week from today, the impugned orders and the bills described in prayer clauses (A) and (B) of the petition do not survive and are set aside.

5. The Assessing Officer shall decide the objections in accordance with law and without being influenced by the observations made by the Assessing Officer in the impugned order.

6. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

7. Insofar as the prayer for restoration of the electricity connection is concerned, the same shall be considered by the Assessing Officer while passing the final order.

(R.D. DHANUKA, J.)