

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No:1904 OF 2014**

**ORDER:**

1. This writ petition is filed by the petitioner seeking to direct respondents Nos.1 to 4 to produce the assessment and meter fixing records pertaining to Electricity Service Connection No.1528-91, Category-III-A pertaining to the industry of the petitioner, and to quash the impugned assessment notice.

2. The petitioner is the proprietor of Radhaswamy Coir Industries situated at Gondrupalli village of Yelamanchili Mandal, Visakhapatnam District. The said Industry is provided with Electricity Service Connection No.1528-91, Category-III A by respondents Nos.1 to 4 herein. The 4<sup>th</sup> respondent-authority issued assessment notice vide proceedings dated 27.9.2013 demanding the petitioner to pay Rs.3,80,152/- for the period from 15.8.2012 to 1.5.2013. Challenging the said proceedings, on 11.10.2013, the petitioner preferred an appeal before the 3<sup>rd</sup> respondent. The 3<sup>rd</sup> respondent confirmed the said proceedings of the 4<sup>th</sup> respondent herein, without giving any opportunity to the petitioner to submit his grievance. Aggrieved by the same, the petitioner filed an appeal before the 5<sup>th</sup> respondent and the same is still pending. The petitioner also filed an interlocutory application seeking to grant interim injunction against respondents Nos.3 and 4 from disconnecting the power supply to the industry of the petitioner. But no order has been passed by the 5<sup>th</sup> respondent on the said petition. Hence, the present writ petition is filed by the petitioner.

3. On 28.1.2014, while ordering notice before admission, this Court granted interim suspension on condition of the petitioner depositing 50% of the demanded amount within two weeks from that day.

4. Today, when this matter has been taken up for hearing, the learned Counsel for the petitioner submitted that the petitioner has already deposited 50% of the demanded amount as directed by this Court.

5. From the material on record, it is evident that the petitioner has already preferred an appeal viz., C.G.No.39 of 2014 before the 5<sup>th</sup> respondent and the same is pending. In view of the pendency of the appeal and in view of the compliance of the orders of this Court dated 28.1.2014, this Court is inclined to pass the following order:

“The 5<sup>th</sup> respondent is directed to dispose of the appeal in C.G.No.39 of 2014, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. Till disposal of the said appeal, the order of interim suspension passed by this Court on 28.1.2014 shall continue.”

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

**Justice Raja Elango**

Date: 17<sup>th</sup> April, 2017  
Nn.

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17.04.2017

Nn.