

HON'BLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.24143 of 2004

ORDER:

Heard learned counsel for petitioners and learned standing counsel for respondents.

In the present writ petition, petitioner challenged the proceedings of the 2nd respondent vide Lr.No.CGM/HZ/Hyd/SMRT/D.No.187/2004 dated 24.08.2004, confirming the order of the 3rd respondent vide order No.SEA/Hyd/F.HB-21/SAII8833/D.No.1094 dated 23.11.2001 and to quash the same.

The issue relates to theft of power. This aspect has been considered by this Court in W.P.No.27781 of 2017.

Since this is a case of theft of energy, the liability of the petitioner has to be decided by the competent Special Court. Petitioner claims to have deposited a sum of Rs.36,000/- during the pendency of appeal and by order dated 23.12.2004, this Court passed interim order directing the respondents to restore the power supply to the petitioner on his depositing a further sum of Rs.20,000/- and to continue the power supply subject to his paying consumption charges regularly.

Since the issues are to be decided by the competent Special Court, the present writ petition is disposed of directing the respondents to refer the matter to the Special Court for determination of civil liability and till such determination, the electricity service connection of the petitioner shall not be disconnected.

As a sequel, miscellaneous petitions if any pending in the writ petition stand closed.

P. KESHA VA RAO, J

November 3, 2017
MRR