

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.2547 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue an appropriate writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in demanding and threatening to initiate coercive steps to realize the claim of power usage charges under the clause of minimum consumption charges for the minimum lock-in-period during which power was not utilized by the petitioner company as there was no production during the period between September 2015 and February 2016 to a tune of Rs.12,22,58,943/- excluding the forfeited security deposit amount under clause 6 and 10 of the HT Agreement fixing 2 years as the lock-in minimum power charges period which was fixed to one year only for the other similar companies subsequently as illegal, arbitrary, unjust and against the constitutional guarantees and to consequently direct the respondents drop all further proceedings for the realization of the claim of arrears of power charges under the HT Agreement dated 03-02-2014 between the petitioner and the respondents and to pass such other and further orders as deemed fit in the circumstances of the case.”

2. When the matter is called, it is represented by the learned counsel for the petitioner that the petitioner herein will make a necessary representation to the respondents for redressal of his grievance and the same may be directed to be considered in accordance with law. The said request is not opposed by the other side.

3. Recording the said submission, the writ petition is disposed of, without expressing any opinion on merits and demerits of the matter, keeping it open for the petitioner herein to make a representation to the respondents, within a period of one week from the date of receipt of a copy of this order. If any such representation is made, the same be considered and appropriate orders be passed in accordance with law.

4. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

25.01.2017
SS

A.V.SESHA SAI, J