

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.42833 OF 2017

ORDER:

The petitioner challenges the proceedings dated 13-11-2017, wherein provisional assessment was made against the petitioner's service connection and asked to pay 50% of the assessed amount of Rs.62447/-+ 5000/- towards compounding fee for restoration of power supply.

Learned counsel for the petitioner submits there is no theft of energy and arbitrarily, the respondents have provisionally assessed the amount.

Heard Sri R.Vinod Reddy, learned Standing Counsel for the respondent-Corporation, who submits that it is a case of theft of energy and the petitioner wants reconnection, he has to pay 50% of the provisionally assessed amount as directed in the impugned proceedings.

It is to be seen that civil liability has to be decided under Section 154(6) of the Electricity Act (for short "the Act") and the petitioner can raise all his objections before the Special Court. Pending further determination by the Special Court, the petitioner has to pay amount of Rs.31,000/-(Rupees thirty one thousand only).

In view of above, the writ petition is disposed of directing the respondents not to disconnect power supply subject to condition that the petitioner shall pay an amount of Rs.31,000/- (Rupees thirty one thousand only) and said payment will be subject to determination of civil liability by the

Special Court under Section 154(6) of the Act. However, the petitioner shall pay regular monthly bills. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-12-2017

Nvl

