

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.No.40264 OF 2017

ORDER

This writ petition is filed seeking to declare the action of the respondents in issuing a notice of demand dated 19.07.2017 to the petitioner in respect of his service connection bearing No.1417 01274 Category LT-III-Industry-Poultry Farms, without following the procedure as prescribed under Clause 10 of General Terms and Conditions of Supply, as arbitrary and illegal.

Learned counsel for the petitioner submits that pursuant to the demand notice dated 19.7.2017, the petitioner paid an amount of Rs.4,00,000/- on 5.9.2017 & Rs.69,815/- on 24.10.2017. He further submits that without determining the liability under Section 154(5) of the Electricity Act, 2003, the respondent-authorities are insisting for payment of balance amount and threatening to disconnect the power supply.

Since the petitioner has already paid an amount of Rs.4,69,815/- i.e., 50% of the provisional assessment, there shall be stay of collection of balance amount and the respondents shall not disconnect the power supply to the petitioner's Service Connection, pending adjudication of the civil liability by the competent civil Court under Section 154(5) of the Act. The payment of Rs.4,69,815/- will be subject to

further determination by the competent civil Court under Section 154(5) of the Act.

With the above direction, the writ petition is disposed of.

No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAJASHEKER REDDY

28th November, 2017
rkk

