

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**WRIT PETITION NO. 1819 OF 2017
WITH
CIVIL APPLICATION NO. 2046 OF 2018**

Aurangabad Municipal Corporation,
Aurangabad,
Through its Commissioner .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. Rajendra S. Deshmukh, Advocate for the Petitioner.

Shri. A. S. Shinde, A.G.P. for Respondent/State.

Shri A. S. Bajaj, Advocate for Respondent No. 2.

**CORAM : S.V. GANGAPURWALA AND
A. M. DHAVALA, JJ.**

DATED : 27th March, 2018

PER COURT:

. The writ petition is filed by the Municipal Corporation, Aurangabad
challenging the letter dated 01.02.2017, whereby arrears towards the

street light connection from the petitioner are claimed and further the communication states that for non payment of the same the street light would be disconnected.

2. On the last date, we had heard Mr. Deshmukh, the learned counsel for the petitioner and Mr. Bajaj, the learned advocate for the respondent. Initially, on 07.02.2017, we had passed an interim order directing the respondent to reconnect the electric supply to the street lights and had directed the petitioner to give the details of the mode and manner of depositing the legitimate amount due. We also expected the State to intervene in the matter by taking the petitioner and respondent No. 2 in confidence and find the solution to the problem.

3. In the interregnum, MSEDCL filed the Civil Application for vacating the interim order passed by this court on the ground that the Municipal Corporation, Aurangabad is not paying the electricity bills and there are huge arrears of energy bill vis-a-vis the street lights.

4. The Municipal Corporation, Aurangabad has placed before us the notings of the meetings wherein they have agreed to pay Rs. One Crore towards the arrears every month and fifty lakh towards the current bills

of street lights.

5. According to Mr. Deshmukh, the learned advocate for corporation, the corporation is taking steps to illuminate street lights with LED and that would reduce the energy consumption. The corporation is expected to take steps. The corporation is also expected to take steps to properly supervise so that energy is not wasted. If the proper supervision is made and it is seen that the street lights are not on even after the sunrise that would also help in reducing the energy consumption.

6. Mr. Bajaj, the learned advocate for the respondent states that the monthly current bills towards the street lights is more than Rs. One Crore. According to the Corporation it would be reduced after replacing the same with LED.

7. The corporation has shown his readiness to deposit of Rs. One Crore every month towards the arrears. It would be the obligation of the corporation to deposit the current bill in toto towards the street lights and Rs. One Crore towards the arrears every month regularly.

8. In the result, we pass the following order.

9. The Corporation shall deposit Rs. One Crore every month towards the arrears of street lights with the respondent since April 2018 as has been accepted by them in the notings produced before this court and shall also every month regularly deposit the current bills towards the energy consumption of street lights. With these observations the writ petition and civil application stand disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]