

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 2060 OF 2018

S.K. Garg,
Flat no.403,
Raheja Residency Co-op. Housing Society
Ltd., Mahatma Gandhi Complex,
Sector-14, Vashi, Navi Mumbai-400703. ..Petitioner

Versus

Maharashtra State Electricity
Distribution Co. Ltd.,
Sector-1, Vashi,
Navi Mumbai – 400 703. ..Respondent.

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Ms. Ritika Agarwal, Advocate for the Petitioner.
Ms. Anjali R.S. Baxi, Advocate for the Respondent.

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**CORAM : SHANTANU KEMKAR &
R. G. KETKAR, JJ.**

DATE : FEBRUARY 22, 2018

ORAL JUDGMENT (PER SHANTANU S. KEMKAR, J.) :

1. Heard the learned Counsel for the parties.
2. Rule. Rule made returnable forthwith. By consent, heard finally.

3. At the outset it pointed out by the learned Counsel for the respondent that against the impugned demand, the petitioner has an alternate and efficacious remedy available by approaching the Grievance Redressal Forum constituted by the respondent for the purposes of adjudicating the dispute which has been raised by the petitioner.

4. The learned Counsel for the petitioner submits that the demand which has been raised is exorbitant and due to disconnection for non-payment of said exorbitant and arbitrary demand, the petitioner is suffering hardship.

5. Having considered the submissions made by the learned Counsel for the parties, we dispose of this Petition by directing the petitioner to deposit 50% of the demand raised by the respondent. Such deposit to be made by the petitioner within a week from today. On such deposit being made by the petitioner, the respondent shall immediately restore the electricity connection of the petitioner, without insisting for reconnection charges. The petitioner to approach the Grievance Redressal Forum within two weeks from today. The Grievance Redressal Forum shall adjudicate petitioner's case in accordance with law as expeditiously as possible and preferably within three months from the

date of receipt of representation/appeal as may be filed by the petitioner. The deposit, as made by the petitioner, will be subject to final outcome by said Forum. The Forum shall also pass appropriate orders in regard to this amount which has been ordered to be deposited by this Court.

6. Rule is made absolute accordingly.

7. All parties concerned to act upon an authenticated copy of this order.

(R. G. KETKAR, J.)

(SHANTANU KEMKAR, J.)