

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8948 OF 2018

Smt. Chanchalben D. Patel

... Petitioner.

V/s.

The Executive Engineer Electricity Dept.
Kanchigam & Ors.

... Respondents.

Mr. Mukesh Vashi, Sr. Advocate a/w. Ms. Tanya Barwal I/by
M.P. Vashi & Associates for the Petitioner.

Mr. Shrishailya S. Deshmukh, for the Respondents.

**CORAM : R. M. BORDE AND
PRITHVIRAJ K.CHAVAN,JJ.**

DATE : AUGUST 16, 2018

PC :

1 The Petitioner is in arrears of electricity charges recoverable by the Respondents. The Petitioner is not disputing his liability in respect of the payment of electricity charges so far as serial / item nos. 1 & 2 of the Chart presented to the court and marked "X" for identification. The Petitioner undertakes to pay Rs. 38,77,130/- , item no. 1 of the Chart, within a period of eight weeks from today. Whereas, the amount referred to at serial/item no. 2 of Rs. 17,80,267 is concerned, the petitioner undertakes to make payment within a period of two weeks from today.

2 It is informed that the petitioner is a consumer in respect of five electricity connections. So far as the payment of amount under the first item is concerned (Rs.38,77,130/-), the petitioner shall tender an undertaking to pay the said amount within a period of eight weeks from today. The undertaking shall be submitted to the Court and copy thereof shall be furnished to Respondent within one week from today.

3 Subject to the tendering of the undertaking and payment of Rs.17,80,267/- to the Respondent, the Respondent shall restore the electricity supply temporarily. So far as the permanent restoration of the electricity supply is concerned, it will be necessary for the petitioner to observe the procedure prescribed by the Respondents and tender an appropriate application and comply with the necessary procedural formalities. On tendering application and on compliance of the requirements, and on deposit of the amount, as directed above, the Respondent shall take decision on the application for restoration of permanent electricity supply connections to the petitioner within a period of two weeks from the date of the application.

3 In the event of the failure to adhere to the necessary conditionalities in respect of the restoration of the permanent connections and performance of obligations of

payment of dues, as undertaken, it would be open for the Respondent to take appropriate coercive steps against the Petitioner. In the event of taking of such coercive steps, it would be open for the Petitioner to avail appropriate remedy available as per the law.

4 Petition is disposed of in the aforesaid terms.

(PRITHVIRAJ K. CHAVAN, J.)

(R. M. BORDE,J.)

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