

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.10577 of 2017

ORDER:

Heard the learned counsel for petitioner and Sri R.Vinod Reddy, learned counsel for the respondents.

2. Petitioner's grievance is that a demand of energy consumption charges and penalty has been issued by the respondents on 06-03-2017 ignoring clause 8.4 of the APERC (Interim Balancing & Settlement Code for Open Access Transactions) Regulation 2 of 2006. Petitioner contends that he gave a representations dt.22-06-2016 and 13-03-2017 to 2nd respondent and that 2nd respondent has not considered the same.

3. Interim order was granted by this Court restraining the respondents from disconnecting the power supply to the petitioner-unit earlier in the Writ Petition. W.V.M.P.No.4831 of 2017 has been filed to vacate the said order. In the vacate stay petition, the respondents have sought to justify the making of such impugned demand on the petitioner.

4. It is not in dispute that there is a Consumer Redressal Forum created by the respondents for adjudication of disputes of this nature. Be that as it may, since the grievance of the petitioner is that its representations have not been considered by the respondents, the 2nd respondent shall consider the said representations of the petitioner

within four weeks from today and communicate his decision to the petitioner. Till the consideration of the said representations, no coercive steps shall be taken against the petitioner. This Court has not expressed any opinion on merits of the contentions of the petitioner or the respondents.

5. Accordingly, the Writ Petition is disposed of. Interim order granted earlier is modified as above. No costs.

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

Date: 15-06-2018
kvr

JUSTICE M.S.RAMACHANDRA RAO

