

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.13561 of 2018

ORDER:

Heard learned Counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents.

A letter bearing No.SE/O/NLR/SAO/JAO/HT/U2/D.No.234/18, dated 29.03.2018 of the Superintending Engineer, Operation Circle, APSPDCL, Nellore, asking the petitioner to arrange payment of a sum of Rs.1,74,34,169/- is under challenge in the present Writ Petition.

In fact, according to the learned Counsel appearing for the petitioners, after receipt of the impugned notice, the petitioners herein submitted representations to the 3rd respondent and 1st respondent respectively on 12.04.2018 and 10.04.2018 duly bringing to their notice the relevant provisions of Regulation 2 of 2006. It is further contended by the learned Counsel appearing for the petitioners that the very action on the part of the respondent-authorities is without jurisdiction, highly illegal, arbitrary and contrary to the procedure. It is also brought to the notice of this Court that along with the said representations, the petitioners herein also paid an amount of Rs.1,19,99,766/- vide utr No.IOBAN 18102482307, dated 12.04.2018.

Having heard the learned Counsel appearing for the petitioners and the learned Standing Counsel and since the

representation is pending consideration before the respondent No.3/Superintending Engineer, APSPDCL, Operation Circle, Nellore, and keeping in view of the amount paid by the petitioners herein, this Court deems it appropriate to dispose of the Writ Petition with a direction to respondent Nos.1 and 3 to take appropriate action on the said representations said to have been submitted by the petitioners herein, preferably within a period of four weeks from the date of receipt of a copy of this order, subject to the petitioners paying an additional amount of Rs.15,00,000/- (Rupees fifteen lakhs only) to the respondent-authorities, and pass appropriate orders. Till the said exercise is completed, subject to the above condition, no coercive action shall be taken against the petitioners herein.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed. No costs.

A.V.SESHA SAI,J

18th April, 2018

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