

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.34536 of 2013

ORDER:

Heard Mr.D.V.Nagarjun Babu and Mr.Vinod Reddy for parties.

The petitioner challenges the action of 2nd respondent in demanding payment of Rs.19,69,728/- by way of back billing particularly, when the petitioner has availed the remedy under Section 42 of Electricity Act, 2003 (for short 'the Act') as illegal, arbitrary and unconstitutional.

The petitioner to show the steps taken under Section 42 of the Act places on record annexure P-1 dated 19.11.2013. The categorical assertion of petitioner is that the petition was presented through registered post with acknowledgment due. However, no intimation was received from 6th respondent.

On 03.12.2013 in W.P.M.P.No.42969 of 2013, this Court passed the following conditional interim order :-

“There shall be interim direction on condition of payment of 50% of amount, pursuant to order dated 23.08.2013 of the 2nd respondent.”

The petitioner states that the condition imposed by this Court is complied with and consequently by referring to the back billing, which is the subject matter of redressal under Section 42 of the Act, the respondents have not discontinued power supply.

Mr.Vinod Reddy submits that the 6th respondent can be directed to dispose of the petition filed by petitioner expeditiously by continuing the interim order granted by this Court on 03.12.2013.

The statement is placed on record.

The writ petition is disposed of by this order.

(a) The petitioner is given liberty to re-submit annexure P-1 to 6th respondent by enclosing a copy of this order within four weeks from today.

(b) The 6th respondent considers and disposes of the grievance of petitioner, as expeditiously as possible, after hearing all the parties, within three months thereafter.

(c) Till a decision is taken and communicated to parties, the interim order granted on 03.12.2013 is directed to be continued.

Miscellaneous petitions, if any, pending, shall stand closed.

No order as to costs.

S. V. BHATT, J

Dt: 11-04-2018

Prv

