

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

W.P.No.36604 of 2018

ORDER:

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

2. Petitioner has assailed proceedings dt.05-09-2018 containing the provisional assessment for alleged theft of electricity by the petitioner stating that petitioner has to pay Rs.4,78,361/- towards civil liability determined provisionally pending determination under Section 154 (5) of the Electricity Act, 2003 by the Special Court.

3. It is not in dispute that the service connection of the petitioner was disconnected on 05-09-2018. In similar matters, this Court has directed restoration of power supply on the petitioner paying 25% of the amount provisionally assessed and directed the respondents to refer the matter to the Special Court for determination of civil liability of the consumer and also directed that the power supply be not disconnected pending such determination.

4. Therefore, in tune with the said order, petitioner is permitted to pay 25% of the amount demanded in the provisional assessment notice dt.05-09-2018 to 2nd respondent and on such payment, 2nd respondent shall restore electricity supply to the petitioner's service connection. The respondents shall then refer the matter to the Special Court for determination of civil liability of the

petitioner under Section 154 (5) of the Electricity Act, 2003 and pending determination of such liability, they restore power supply of the petitioner and the same shall not be disconnected.

5. Accordingly, the Writ Petition is disposed of. No costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 10-10-2018

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