

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 39390 of 2018

Date : 6.11.2018

Between:

W Shakeel Ansari S/o N Shamimuddin Ansari
Aged about 52 years Occ Business R/o 122458/3 Hill Colony
Mehdipatnam Hyderabad

Petitioner

And

Southern Power Distribution Company of TG Ltd
Rep by its Asst Divisional Engineer Operation SubDivision
Ibrahimbagh Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned standing counsel for respondents and with their consent, writ petition is taken for disposal at the admission stage.

2. Petitioner claims to be owner of 7 flats in Plot Nos. 178 and 171 in Survey Nos. 107 to 111, 113 to 115 Puppallaguda village, Rajendernagar Mandal, Ranga Reddy district having independent electricity supply connections. Alleging that there was theft of electricity, proceedings are initiated and by order dated 8.9.2018 power supply was disconnected. Person was granted liberty to pay 50% of the amount provisionally assessed in the respective proceedings subject to determination of civil liability by Special Court under Section 154 of the Electricity Act, 2003. Said proceedings are challenged in this writ petition.

3. As only a provisional assessment was made and the issue as to theft of electricity and fixing of civil liability is a matter to be considered by the Special Court in accordance with Section 154 (5) of the Act, 2003, therefore, this Court cannot go into the merits of the allegations or express any opinion at this stage.

4. According to learned standing counsel, as against 7 electricity supply connections, 50% of the amount as determined was paid for only three electricity supply connections and for other 4 electricity supply connections payment was not paid.

5. Learned counsel for petitioner fairly submits that petitioner is ready to pay 50% of the determined amount for remaining 4 electricity supply connections.

6. Having regard to the same, writ petition is disposed of, granting liberty to petitioner to pay 50% of the provisional assessment made for remaining four electric supply connections and on such payment respondents shall restore power supply and shall not demand the balance 50% amount until the issue is decided by the Special Court under Section 154 of the Act, 2003.

7. Accordingly, the writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, are closed.

P.NAVEEN RAO,J

DATE: 6-11-2018
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