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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **RFA 123/2018**

RANVIR SINGH

..... Appellant

Through: Mr. B.P. Agarwal and Mr. Ujjwal
Kumar Jha, Advocates.

versus

TATA POWER DELHI DISTRIBUTION LTD

..... Respondent

Through: Mr. Manish Srivastava, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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09.02.2018

C.M. Appl. No. 4998/2018 (for exemption)

1. Exemption allowed, subject to all just exceptions.

C.M. stands disposed of.

C.M. Appl. No. 4999/2018 (for delay)

2. For the reasons stated in this application, the delay of 66 days in re-filing the appeal is condoned, subject to just exceptions.

C.M. stands disposed of.

RFA 123/2018 and C.M. Appl. No. 4997/2018 (for stay)

3. After arguments, this appeal is disposed of as not pressed but the appeal is compromised, inasmuch as, it is agreed that the respondent /defendant will, from the impugned bill for a sum of

Rs.27,44,518/- which contains a late payment sur-charge figure of Rs.13,46,914/-, reduce late payment sur-charge to the extent of Rs.5,25,000/-. This concession is given to the appellant/plaintiff provided the appellant/plaintiff now pays the balance due within a period of four months from today in four equal monthly instalments commencing from March, 2018. It is, however, made clear that in case the balance amount due is not paid in four equal monthly instalments to the respondent/defendant, the impugned decree as a whole will stand i.e. the liability of the appellant/plaintiff will stand as it is in the impugned bill. It is only on payment of the complete amount of dues that the respondent/defendant will restore the electricity supply to the subject premises of the appellant/plaintiff.

4. The appeal is disposed of in terms of the aforesaid order.

VALMIKI J. MEHTA, J

FEBRUARY 09, 2018

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