

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2987 OF 2016
IN
WRIT PETITION NO.7866 OF 2015**

The State of Maharashtra and Anr. .. Applicant

V/s.

Dena Bank .. Respondent

Mrs.M.S.Bane, A.G.P. for the Applicant

Ms.Jyoti Vaity I/b Mr.Rajesh Shethia for the Respondent Bank

**CORAM: K.K. TATED, J
DATED : JANUARY 25, 2019**

P.C. :

1 Heard.

2 The learned A.G.P. for the Applicant submits that by this Civil Application they are pressing only prayer clause (c) i.e. direct Dena Bank to transfer electric connection from the name of Respondent Dena Bank to name of the 'Rationing Office, 24/D, Vile Parle. She submits that appellant is not pressing other reliefs as the same are already complied.

3 The learned A.G.P. for the Applicant submits that as on today they are occupying the suit premises. She submits that

they have to pay electricity charges in respect of meter bearing no.4488455. She submits that for payment of electricity charges, they require electricity bills in their name. Hence, they preferred the present Civil Application.

4 This matter was on board on 17.01.2019 before this court. At that time, at the request of advocate for Dena Bank, matter was adjourned to take instruction in writing. The learned counsel for the Dena Bank submits that she does not have any instruction to that effect. In any case, Dena Bank is owner of the property. Therefore, it is their obligation to give no objection in favour of tenant i.e. Applicant for transfer of electricity meter.

5 Considering the submissions made by the learned A.G.P. for the Applicant, averments made in Civil Application and as Applicant is occupying the suit premises in which electricity meter bearing no.4488455 is installed, it is necessary to instruct Respondent to take appropriate steps for transferring the same in the name of Rationing office. Hence, following order is passed:

A) Civil Application is allowed in terms of prayer clause (c) which reads thus:

“(a) That this Hon'ble Court be pleased to direct the Respondent to take steps to get the electric connection account no.101259330 (meter bearing No.4488455) transferred from the name of the Respondent Dena Bank to the name of the 'Rationing office 24/D, Vile Parle'.”

B) Respondent Dena Bank to take appropriate steps to comply

the prayer clause (c) as early as possible but in any case on or before 28.02.2019.

(K.K. TATED, J.)