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

CIVIL WRIT PETITION NO.1658 OF 2018

Maharashtra State Electricity Distribution Co.Ltd.

..Petitioner

Vs

M/s Punit International & Ors.

..Respondents

Mr. Rahul Sinha a/w Ms. Prerna Gandhi i/b DSK Legal for Petitioner.
Mr. PP Pujari, AGP for the State.

CORAM : A.S.GADKARI, J.

DATE : 14th October 2019.

P.C.:

1] By the impugned Order dated 6.2.2016 passed by the Consumer Grievance Redressal Forum, Bhandup constituted under section 42(5) of Electricity Act 2003, permitted the petitioner to assess the difference of arrears in tariff calculation from Industrial to Commercial for a period of 24 months earlier to the date of detection without charging Delayed Payment Charges (DPC) and interest on the said amount.

2] The Full Bench of this Court in the case of Maharashtra State Electricity Distribution Company Ltd Vs. The Electricity Ombudsman & Anr. (Writ Petition No.10764 of 2011 and other connected petitions) in its Judgment dated 12.3.2019 has held that, the Distribution Licensee cannot demand charges for

consumption of electricity for a period of more than two years preceding the date of the first demand of such charges.

3] In view of the ratio laid down by the Full Bench of this Court in the case of Maharashtra State Electricity Distribution Company Ltd Vs. The Electricity Ombudsman & Anr.(supra), challenge to the impugned Order does not survive and the petition is accordingly disposed off.

(A.S.GADKARI, J.)