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

CIVIL WRIT PETITION NO.1659 OF 2018

Maharashtra State Electricity Distribution Co.Ltd.

..Petitioner

Vs

M/s Indus Tower Ltd.

..Respondents

Mr. Rahul Sinha a/w Ms. Prerna Gandhi i/b DSK Legal for Petitioner.

Mr. S.B. Deshmukh for Respondent.

CORAM : A.S.GADKARI, J.

DATE : 14th October 2019.

P.C.:

1] By the impugned Order dated 5.8.2016, passed by the Consumer Grievance Redressal Forum, Pune, constituted under section 42(5) of Electricity Act 2003 has directed the Licensee to issue revised bill making it limited only for 24 months for the period from December 2013 to December 2015 excluding Delayed Payment Charges (DPC) and interest.

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.)