

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.6613 OF 2019

Date: 28.03.2019

Between:

Mir Mujahed Ali s/o. Mir Dilawar Ali,
Aged about 52 years, occu: Business,
R/o. 16-11-16/J/30/A, Teegalguda,
Hyderabad.

....Petitioner

and

The State of Telangana, rep.by its
Prl.Secretary (Energy), having office
At Telangana Secretariat Buildings,
Hyderabad, Telangana and others.

..... Respondents



The Court made the following:

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ORDER:

Petitioner challenges the letter dated 28.11.2018, where under provisional assessment of electricity charges is made on the allegation of theft of energy subject to determination of civil liability under Section 154 of the Electricity Act, 2003 (for short, 'Act, 2003'). It is only the provisional assessment and civil liability is yet to be determined. Court is not inclined to enter into the merits of liability so determined and stand of the petitioner.

2. However, as it is only the provisional assessment and the civil liability is yet to be determined, Court is inclined to direct the respondents to continue to provide power supply until proceedings are concluded under Section 154 of the Electricity Act, 2003, subject to petitioner depositing 50% of the amount quantified. According to learned counsel for petitioner, petitioner has already deposited 25% of the amount, and on such deposit power supply is restored. That being so, petitioner shall have to pay balance amount of 25% within two weeks from today. On such payment, respondents shall not demand payment of further amount until proceedings are concluded and shall continue power supply subject to fulfillment of all other supply conditions. Writ Petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 28.03.2019
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