

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7277 OF 2021

Anusaya Chitra Mandir through its
Proprietor Hemant Raosaheb Jamkar .. Petitioner

Versus

Additional Executive Engineer, Flying
Squad, MSEB Co. Ltd. .. Respondent

Shri Vishant P. Kadam, Advocate for the Petitioner.
Shri Avishkar S. Shelke Advocate for the Respondent.

**CORAM : S. V. GANGAPURWALA AND
R. N. LADDHA, JJ.**

DATE : 07TH JULY, 2021.

FINAL ORDER :

. Heard Mr. Kadam, the learned advocate for the petitioner and Mr. Shelke, the learned advocate for the respondent.

2. The grievance of the petitioner appears to be that the petitioner has filed an objection referable to Sub Section 3 of Section 126 of the Electricity Act, 2003. The same is not decided and the petitioner has apprehension of disconnection of electricity.

3. According to Mr. Shelke, the learned advocate for the respondent, the assessment is plain assessment and not assessment U/Sec. 126 of the Electricity Act. The only remedy the petitioner possesses is to approach the Consumer Grievances

Redressal Forum.

4. In the light of the above, we dispose of the writ petition with liberty to the petitioner to avail the alternate remedy before the Consumer Grievances Redressal Forum as contended by the learned counsel for the respondent. No costs.

5. For a period of ten (10) days from today, the respondent shall not disconnect the electricity supply of the petitioner. The same shall be on condition that the petitioner deposits Rs. 3,00,000/- (Rs. Three Lacs only) with the respondent. The said deposit is without prejudice to the rights and contentions of either of the parties. The said amount be deposited within a period of Seven (07) days from today.

6. Needless to state on lapse of ten (10) days, the protection granted by this Court shall come to an end. The parties would be governed by the orders that would be passed by the Consumer Grievances Redressal Forum.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 21