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

904 WRIT PETITION NO.6541 OF 2022

**LOKNAYAK JAIPRAKASH NARAYAN SHETKARI
SAHAKARI SOOT-GIRNI LTD., THROUGH ITS MANAGING
DIRECTOR
VERSUS
THE STATE OF MAHARASHTRA, THROUGH ITS
SECRETARY AND OTHERS**

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Mr P. F. Patni, Advocate for petitioner;
Mr S. G. Karlekar, A.G.P. for respondent Nos.1 & 2
Mr A. M. Gaikwad, Advocate for respondent No.3

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 28th June, 2022

PER COURT:

1. Leave to replace respondent No.3 with the ‘Superintending Engineer, MSEDCL, Nandurbar Division, Nandurbar’. Deletion and addition be carried out forthwith.
2. In this petition, the petitioner has put forth prayer clauses (B), (C) and (D), which read as under :-

“B) It may please to issue a Writ of Mandamus or any other Writ, order or direction of like nature, directing the respondent No.3 to adjust the amount of incentives allowable for consumption of electricity as per Government resolution in the running bill.

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C) Pending hearing and final disposal of this Writ Petition, the respondent No.3 may please be directed to re-connect the electricity connection which was disconnected on account of non-payment of electricity charges.

D) Pending hearing and final disposal of this Writ Petition the respondent may please be directed to issue the bill of demand of electricity consumption after adjusting the amount of incentives.”

3. The learned Advocate for the petitioner submits, on instructions, that a representation dated 25/09/2021 at page 46 and dated 05/05/2022 at page 28 of the petition paper book, have been addressed to the Managing Director of the MSEDCL at Mumbai. The appropriate authority would be the Superintending Engineer, MSEDCL, Nandurbar, who will have to decide the said representations.

4. Since an innocuous prayer is put forth, this petition is disposed off, without issuing notice to respondent No.3.

5. We direct respondent No.3, to consider these two representations referred to hereinabove, on their own merits. A reasonable opportunity of hearing shall be afforded to the petitioner and all the stakeholders, if any. If the procedure permits a personal hearing, we leave the option open to

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respondent No.3.

6. Needless to state, respondent No.3 would consider the said representations in accordance with its Rules, Regulations, policies applicable, as expeditiously as possible and preferably, on or before 30/08/2022.

7. In the event, the petitioner succeeds in convincing respondent No.3, the other prayers of the petitioners, which would be within the realm of respondent No.3, would be considered on their merits.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)

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