

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

[3302]

FRIDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE K. SARATH

I.A.NO.1 OF 2023

IN

WRIT PETITION NO: 3038 OF 2020

Between:

Telangana State Electricity Regulatory Commission, Rep. by its Secretary,
Red hills, Hyderabad.

AND

....PETITIONER/RESPONDENT NO. 3

1. M/s. Marco Electrical and Civil, Rep by its Managing partner Syed
Nadeemullah S/o Syed Faheemullah, Aged 50 years, R/o H.No.4-7-101, Hatai
Gaily, Nizamabad.

...RESPONDENT/WRIT PETITIONER

2. Northern Power Distribution Company Ltd, Rep. by its Chairman and
Managing Director, Having its corporate office at Warangal.

3. Telangana State Power Coordination Committee, Rep. by its Secretary,
Vidyut Saudha, Khairatabad, Hyderabad.

...RESPONDENTS/RESPONDENTS 1 & 2

Petition under Section 151 CPC praying that in the circumstances stated in
the affidavit filed in support of the petition, the High Court may be pleased to direct
the Registry to post the above W. P. No. 3038 of 2020 before the Hon'ble court
under the caption of "FOR BEING MENTIONED" and to pass appropriate orders
by modifying the orders passed in W.P.No.3038 of 2020 dated 30.12.2022 in the
interest of justice.

This petition coming on for hearing, upon perusing the petition and affidavit
filed in support thereof and upon reading the Order dated 30.12.2022 in
W.P.No.3038 of 2020 and upon hearing the arguments of Sri J. Ashvini Kumar,
Advocate for the Petitioner and of Sri Kowturu Pavan Kumar, Advocate for

Respondent No. 1 and of Sri Zakir Ali Danish, Standing Counsel for Respondent Nos. 2 & 3, the Court made the following: **ORDER**

"Learned Counsel for the petitioner submits that this Court disposed of W.P.No.3038 of 2020 on 30.12.2022 following the covered orders in W.P.No.2185 of 2008 dated 14.04.2008 and W.P.No.22503 of 2005 dated 26.11.2018.

In the covered orders the respondent No.3 is the competent authority to consider the case of the petitioner therein, but in the instant case the respondent No.1 is the competent authority.

Learned counsel for the petitioner requested to direct the respondent No.1 in terms of the orders passed in the above said covered orders.

For the reasons stated in the affidavit filed in support of the petition, this petition is ordered by replacing the Para No.4 of the Order dated 30.12.2022 in W.P.No.3038 of 2020 as:

"4. Following the above said order and for the reasons recorded therein, this Writ Petition is also disposed of, directing the respondent No.1:

(i) To give notice to the petitioner against the proposed change of classification and within a period of two weeks for the date of receipt of this order, thereafter the petitioner shall file its objections.

(ii) On receipt of objections, respondent No.1 shall dispose of the same before taking a final decision on the proposed reclassification.

(iii) Since the action of reclassification is declared void, the respondents shall adjust the excess amount paid by the petitioner towards differential tariff in the immediate future electricity bills."

This order may be read cojointly with early Order dated
30.12.2022 in W.P.No.3038 of 2020.

Sd/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

9B
SECTION OFFICER

To,

1. The Chairman and Managing Director, Northern Power Distribution Company Ltd, Having its corporate office at Warangal.
2. The Secretary, Telangana State Power Coordination Committee, Vidyut Saudha, Khairatabad, Hyderabad.
3. The Secretary, Telangana State Electricity Regulatory Commission, Red hills, Hyderabad.
4. One CC to Sri Kowturu Pavan Kumar Advocate [OPUC]
5. One CC to Sri Zakir Ali Danish, SC for TSNPDCL (OPUC)
6. One CC to Sri J. Ashvini kumar, Advocate(OPUC)
7. Two CD Copies

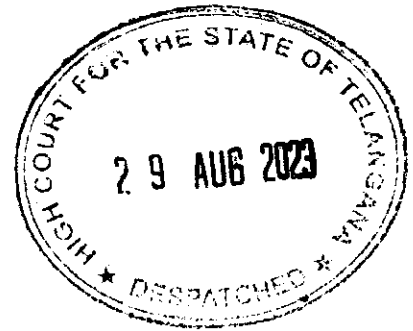
MBC



HIGH COURT

SK,J

DATED: 28/04/2023



ORDER

I.A.NO.1 OF 2023

IN

WRIT PETITION NO: 3038 OF 2020

⑦

msd
29/8/23

ORDERING THE I.A.