

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8243 OF 2022

Kadam Agro Enterprises through
its Authorised personPetitioner

V/s.

Superintending Engineer MSEDCL & Ors. ...Respondents

Mr. Chaitnya Mulawkar i/b Mr. Sandeep Salunkhe for Petitioner.
Smt. A.R.S. Baxi for Respondent No.1 to 3.
Mr. K. S. Thorat for Respondent No.4.

CORAM : K.R. SHRIRAM &
RAJESH S. PATIL JJ
DATED : 4th JANUARY 2023

PC. :

1 On 18th October 2022, the following order came to be passed:

“The petitioner’s electricity connection is disconnected. The learned counsel submits that the petitioner is carrying on business. He has deposited Rs.5,60,000/- as per the bill issued by the respondents. According to the learned counsel, respondents may be directed to reconnect the electricity connection.

2. The learned counsel for the respondents submits that Rs.5,60,000/- deposited by the petitioner is towards the compounding charges before the Criminal Court. The criminal case is lodged against the petitioner. The learned counsel submits that an amount of Rs.7,75,330/- is due and payable by the petitioner.

3. Considering the ensuing Diwali Festival, by view of equity, we pass the following order :-

(a) The petitioner shall deposit an amount of Rs.2,50,000/- with respondents. The said deposit shall be without prejudice to the rights and contentions of the parties and subject to the decision in the writ petition.

(b) Upon deposit of the amount, the respondents shall restore the electricity supply to the petitioner, immediately.

4. Place the matter on 5th December, 2022.”

2 Mr. Mulawkar i/b Mr. Salunkhe for petitioner seeks time to find out whether petitioner has complied with the directions given by this court as noted in paragraph 3(a) quoted above. We are not inclined to grant any time because; (a) more than two and half months have passed since the order came to be passed and (b) the cause list for today was released on 30th December 2022. Therefore, counsel for petitioner had enough time to seek instructions. It would not also out of place to assume that the parties would have informed the advocate promptly that they have complied with the directions given by this court.

3 Ms Baxi appearing for respondent nos.1 to 3 states her instructions are no amount has been deposited. Statement accepted.

4 Petition therefore, dismissed.

(RAJESH S PATIL, J.)

(K.R. SHRIRAM, J.)