

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**WRIT PETITION NO. 1838 OF 2023**

(M/s. Ganesh Oil Industries, through Proprietor Kamalkumar Sanmukhdas Chandwani Vs. State of Maharashtra & Anr.)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders.*

*Court's or Judge's order*

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Shri N.S. Warulkar, Advocate for the petitioner.

Ms N.P. Mehta, Assistant Government Pleader for respondent No.1/ State.

Shri D.M. Kale, Advocate for respondent No.2.

**CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.**

**DATE : APRIL 25, 2023**

Heard.

2] The challenge raised in this Writ Petition is to the orders dated 27/2/2023 and 28/2/2023 pursuant to assessment under Section 135 of the Electricity Act, 2003 (for short "the said Act"). A penalty of Rs.7,77,120/- has been assessed against the petitioner. The said assessment is for a period of ten months.

3] The learned Counsel for the petitioner seeks restoration of electricity supply since it is his contention that the petitioner is operating a food processing unit.

4] On the other hand, the learned Counsel for respondent No.2 submits that further proceedings pursuant to assessment under Section 135 of the said Act have been initiated and First Information Report has been lodged on 8/3/2023. On 10/3/2023, written objection has also been raised by the petitioner to the amount assessed.

5] Since assessment under Section 135 of the said Act has been undertaken, it would be for the aggrieved party to seek determination of civil liability under Section 154(6) of the said Act. Since the petitioner seeks re-connection of the meter to enable him to receive supply, it is directed that on the petitioner depositing an amount of Rs.2,00,000/- with respondent No.2, the meter shall be re-connected. The balance amount in terms of the aforesaid assessment shall be cleared within a period of three months of deposit of the said amount. Needless

to state that if the petitioner fails to comply with this arrangement, respondent No.2 is free to take appropriate steps in accordance with law.

6] With these observations, the Writ Petition is disposed of. The petitioner is free to avail such other remedies for adjudication of the liability as are permissible in law.

**(M.W. CHANDWANI, J.)**

**(A. S. CHANDURKAR, J.)**

SUMIT