

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

TUESDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 12880 OF 2013

Between:

M/s. Dulichand Silk Mills Ltd., 160/11, Prenderghast Road, Paradise Circle,
Secunderabad-3, Rep., by its Director Dinesh Agarwal S/o. Shiv Chalan No-
10, Banjara Hills, Hyderabad

...PETITIONER

AND

1. The Central Power Distribution Company Ltd., of A.P., Rep., by its Vice Chairman and Managing Director, Singareni Bhavan, Red Hills, Hyderabad.
2. The Superintending Engineer (Operation Circle), APCPDCL, Sangar Reddy, Medak District.
3. The Senior Accounts Officer (Operation) APCPDCL, Sanga Reddy, Medak District.
4. The State Load Dispatch Center, Vidyut Souda, Hyderabad, rep., by its Chief Engineer, TRANSCO

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ in the nature of a Writ of Mandamus or any other appropriate writ direction or order declaring the action of the respondents in levying penalty for the consumption of power in excess of the PDL and PCL during the billing month of January, when the petitioner opted to avail power from open access on 14-11-2012 instead of charging open access rate as arbitrary, illegal and void and consequently direct the respondent to charge the extra power at the open access rate

I.A. NO: 1 OF 2013(WPMP. NO: 15843 OF 2013)

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 stay the operation of the H.T.R & C supplemental bill for January 2013, and the respondent to pay or adjust towards C.C. bills of April

Counsel for the Petitioner: SRI. M. P. CHANDRAMOULI

**Counsel for the Respondent Nos. 1to3: SRI R. VINOD REDDY,
SC FOR TSSPDCL**

**Counsel for the Respondent No.4: M/s. NIKITA ,
STANDING COUNSEL FOR TRANSCO**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO.12880 OF 2013

ORDER:

Learned counsel appearing on behalf of petitioner and Ms.Nikita representing learned Standing Counsel for respondent No.4 brings to the notice of this Court that cause in the writ petition does not survive for adjudication any more.

2. Recording the said submission, the present writ petition is dismissed as infructuous. No costs.

3. Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

**SD/-V.KAVITHA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. M. P. CHANDRAMOULI ,Advocate [OPUC]
2. One CC to SRI. R. VINOD REDDY, STANDING COUNSEL FOR TSSPDCL[OPUC]
3. One CC to M/s. NIKITA , STANDING COUNSEL [OPUC]
4. Two CD Copies
B M
GJP

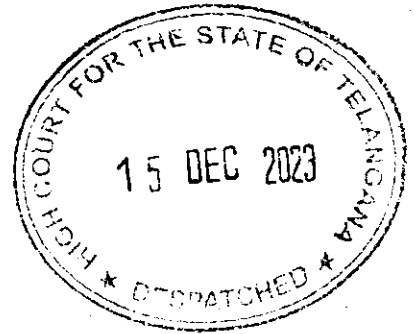
Handwritten signature/initials

HIGH COURT

DATED:28/11/2023

ORDER

WP.No.12880 of 2013



**DISMISSING THE WRIT PETITION AS INFRUCTUOUS
WITHOUT COSTS**

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13/12/23
JH4