

Naraln Engineering Vs. State of U.P. and ors.

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Court : Allahabad

Decided On : Jun-13-2002

Reported in : 2002(3)AWC2203

Judge : S. Harkauli and ;Rakesh Tiwari, JJ.

Appeal No. : C.M.W.P. No. 23728 of 2002

Appellant : Naraln Engineering

Respondent : State of U.P. and ors.

Advocate for Def. : Sudhir Agarwal, S.C.

Advocate for Pet/Ap. : Raj Singh, Adv.

Judgement :

S. Harkauli and Rakcsh Ttwari, JJ.

1. Heard the learned counsel forthe-parties.

2. We have been noticing from a large number of cases that the consumers have applied for permanent disconnection to the respondents and the respondents have not made permanent disconnection on the excuse that the permanent disconnection charges have not been deposited, although the consumers do not require the electricity, but for some months they are harassing them by continuing

future billing.

3. In the circumstances, we direct the respondents to collect the statistics of U. P. and file the same before us by way of counter-affidavit mentioning therein as to how many disconnection applications are pending for more than one month in the past one year. They will also state in the counter-affidavit why a mandamus should not be issued with immediate demand of permanent disconnection by any consumer, permanent disconnection must be done within three days by the officers of the department and any permanent dis-connection charges along with any balance amount of bill may be realised from the consumers in due course.

4. Counter-affidavit may be filed within six weeks. List before us on 9th of August, 2002.

5. In this particular case, no recovery will be made from the petitioner for the period subsequent to February, 1999, when the petitioner had applied for permanent disconnection.

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