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IN THE COURT OF 4th ADL. SENIOR CIVIL JUDGE, GIR SOMNATH
@ VERAVAL

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Regular Civil Suit No.02 / 2025

Paschim Gujarat Vij Company Ltd.,
having its head office at Rajkot and amongst its
various offices one office is at Prabhas Patan.

:::Plaintiff

Versus

Virendra Arjan Vanik,
Resident of Veraval.

::: Defendant

Suit filed with prayer to Recovery of Rs.78,264.81

Order Below Exh.1

The present suit has been filed by the Plaintiff Company to recover amount of usage of Electricity Charges from defendant. It is the case of the plaintiff that they are doing the work of distribution of Electricity in the Saurashtra Region of the Gujarat State. The Plaintiff company has submitted that the defendant has committed Electricity Theft from their Electric Line. The Plaintiff company has carried out Panchnama and found Electric Theft from the place where the defendant was found doing Electricity Theft. Thereafter, notice and provisional bill was forwarded to the defendant, but defendant did not paid any amount. Hence, present Suit has been filed by the Plaintiff Company to recover the amount of Electricity Usage Charges from the defendant.

The Defendant has remained present before this Court and he has submitted that he is ready to pay the amount but not in a position to pay

entire amount. He has submitted that he is ready to pay amount on the basis of installments.

Now, the Ld. Advocate of Plaintiff as well as defendant himself have filed joint Application for Consent Decree and submitted that the matter has been settled amicably between both the parties and the defendant has agreed to pay amount. The details of amount which requires to be paid to the plaintiff company is mentioned in the Consent Decree Application.

Heard the Ld. Advocates as well as both the parties. Read the contents of this application. Ld. Advocate of plaintiffs as well as Defendant have filed joint application to pass Consent Decree. Plaintiff as well as defendant are present before this Court. Both the parties have submitted before Court that the matter has been settled amicably between both the parties. The defendant has been agreed to pay amount on installment basis as mentioned in the application of Consent Decree.

Both the parties i.e. Plaintiffs as well as Defendant have remained present before this Court and Defendant has admitted that the matter has been settled amicably with plaintiff and he has agreed to repay the amount on installment basis. Before deciding application relevant provisions of C.P.C. reads as under:

Order 23: WITHDRAWAL AND ADJUSTMENT OF SUITS

XXX XXX XXX

3. Compromise of suit. - Where it is proved to the satisfaction of the Court that a suit has been adjusted wholly or in part by any lawful agreement or compromise [in writing and signed by the parties] or where the defendant satisfied the plaintiff in respect of the whole or any part of the subject-matter of the suit, the Court shall order such

agreement, compromise satisfaction to be recorded, and shall pass a decree in accordance therewith [so far as it relates to the parties to the suit, whether or not the subject-matter of the agreement, compromise or satisfaction is the same as the subject-matter of the suit:]

[Provided that where it is alleged by one party and denied by the other that an adjustment or satisfaction has been arrived at, the Court shall decide the question; but not adjournment shall be granted for the purpose of deciding the question, unless the Court, for reasons to be recorded, thinks fit to grant such adjournment.]

In view of the above, as per the application of consent decree filed by both the parties, while the parties have settled the issue by mutual understanding and both the parties are ready and willing to perform as per the facts mentioned in consent decree. This Court is of the view that nothing is required to be done by this Court and as per the terms of consent decree the defendant has agreed to pay the amount on installment basis and hence application of consent decree is hereby required to be allowed. Hence, following order is being passed.

:: O R D E R ::

The application is hereby allowed. The present suit is disposed of as per the terms of the application filed at **Exh.16** for Consent Decree. The present suit is hereby disposed of accordingly.

Decree be drawn accordingly.

Court-Fee refund Certificate if any be issued as per Rules.

No order as to cost.

Pronounced on 14th March, 2026 in Open Court on the day of National Lok-Adalat.

Date:14.03.2026

(H.J.Vasavada)
4th Adl. Senior Civil Judge,
Gir-Somanth @ Veraval
UID NO.GJ01386