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**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE ,**  
**MANGROL, DI. SURAT**

**R.C.S. NO. 7/2026.**

**Exhibit No.21**

**Plaintiff - Daxin Gujarat Vij Company Ltd.**  
Sub Divional Kosamba  
**Dy. En. Vishalbhai Ghansyambhai Barvaniya**

vs.

**Defendant - Mohamad Riyaz Iqbal Bobat**  
Age: 40, Add: Eidgah Faliyu Hathuran Tal.  
Mangrol, District Surat

**Suit for recovery of amount of Rs. 1,39,213-70/- Paisa**

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Appearance for Plaintiff : Ld. Advocate Mr. J.B.GOHIL.  
Appearance for Defendant : Ex- Parte  
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**-: JUDGMENT:-**

1. The plaintiff company is a legally established organization authorized to supply electricity in the State of Gujarat. The plaintiff company has filed the present suit for the recovery of amount of Rs. 1,39,213-70/- Paise from the defendant which is due amount for electricity bill. The defendant is a consumer of the plaintiff company having Consumer No. 03501/00567/9 on 31-01-2024 Plaintiff has conducted inspection. As shown in the inspection during the inspection defendant was found illegally bypassed the meter, and committing electricity theft he had illegally connected an extra wire. The defendant was caught red-handed committing electricity theft. Therefore, a Bill of Rs. 1,09,080-12/- was issued to the defendant, however, defendant has not paid the said bill till date. Even after the notice, the defendant did not make payment, hence, with delay payment charges of Rs. 30,100.48 the total outstanding amount Rs. 1,39,213.70. However defendant has not paid that amount, though notice has been issued by the plaintiff company. Plaintiff has prayed to pass the decree against the defendant for the recovery of amount of Rs. 1,39,213-70/- and interest at the rate of 16% on due amount of from 27-12-2025 till its realization
2. The defendant is duly served with the summons which is returned served and neither defendant nor his advocate remain present before the court. Hence, order has been passed below ex-parte against the defendant.

### **Documentary Evidence**

<b>Sr. No.</b>	<b>Exh.</b>	<b>Particulars</b>
1	10	Copy of Brief History of Case
2	11	Original Copy of Performa No. 12
3	12	Original Copy of DPC Calculation Sheet
4	13	Copy of conditional fee of 65-B

5	14	Copy of Consumer Personal Ledger
6	15	Copy of Annexure-A-2
7	16	Copy of Supplementary Bill
8	17	Copy of FIR
9	18	Copy of Legal Notice
10	19	Copy of Authority Letter

3. Plaintiff has also produced affidavit of chief examination vide Exh.8. He has produced closing pursis vide Exh.20.
4. The following issues have arisen for the consideration

### ISSUES

1. Whether the plaintiff prove that he is entitled to receive the amount of Rs. 1,39,213.70/- with interest from the defendant ?
  2. Whether the plaintiff is entitled for relief as claimed ?
  3. What order and decree ?
5. My answers for above stated issues and reasons thereof are as under.

### ANSWER

1. Partly in Affirmative
2. Partly in Affirmative
3. As per final order.

## REASONS

### Issue nos. 1 to 3

To avoid the repetition of facts, all the issues have been discussed altogether.

6. Plaintiff has produced his chief examination vide Exh.8 wherein he has supported the facts of the plaint. Defendant has not challenged the oral evidence of the plaintiff. Plaintiff has produced proforma -12 Vide Ex No. 11 in which due amount of electricity bill has been shown Rs. 1,39,213.70/-. Hence, the fact is proved that due amount of Rs. 1,39,213.70/- is recoverable from the defendant.
  
7. So far as the amount of D.P.C. is concerned, plaintiff has not brought on record any documentary to explain how the amount of D.P.C. is counted. Furthermore, plaintiff has not produced contract between the parties, to prove the rate of interest. In such circumstances, the amount of D.P.C. and rate of interest have not been proved by the plaintiff. Plaintiff has claimed interest @ 16 % which is very high. On considering the prevailing bank rate on moneys lent and provision of Section 34 of C.P.C., it would be legal and proper, if interest is granted at the rate of 9 % on due amount of Rs. 1,39,213.70/- Hence, my answers for issue nos. 1 are Partly Affirmative and issue nos. 2 are partly in affirmative. I pass the following final order for issue no.3

**ORDER**

1. Suit of the plaintiff is hereby allowed partly.
2. It is hereby ordered that Defendant shall pay amount of Rs. 1,39,213.70/- (Rupees One Lakh Thirty Nine Thousand Two Hundred Thirteen and Saventy Paisa only) to the plaintiff alongwith simple interest @ 9% per annum from the date of filing of the suit till its realization.
3. Defendant shall bear the cost of the plaintiff.
4. Decree shall be drawn accordingly.

Pronounced in the open court, as on today.

Place: Mangrol  
Date: 18.04.2026

**(J. S. Parmar)**  
Principal Senior Civil Judge  
Civil Court, Mangrol, Di. Surat  
**Code : GJ01155**