

: ORDER BELOW EXH.5 IN CRI. MISC. APPLICATION NO.
61/2026 :
(CNR No. MHRG15-000244-2026)
(Passed on 16.05.2026)

1) The present application is filed by the applicant **Ravindra Atamaram Deshmukh** under section 154(5) of Electricity Act, 2003, for reconnection of electricity (Consumer No.034960001364, Meter No.9217297, Make AEW, Type AEM 304, as per main application Exh.1), further disconnection and directing to reinstall the transformer and complete the connection process, and to stay the recovery of the impugned civil liability theft bill dated 10.09.2025.

2) It is contended that the impugned action is *ex facie* illegal, and arbitrary. The theft has wrongly been alleged against the applicant. The respondent without following due process of law, disconnected the electricity supply and have removed 315 KVA Transformer without notice or consent of the applicant. The applicant is depending on electricity for livelihood. It is submitted to allow the application.

3) The application is opposed by the respondent and by Flying Squad, M.S.E.D.C.L. by filing say Exh.13. Among other things, it is contended that theft bill is amounting to Rs.91,83,600/- came to be lawfully issued under Section 135 of Electricity Act, 2003, on the basis of applicable tariff, assessed units and connected commercial load. It is submitted to dismiss

the application and to hold that action taken is lawful and proper.

4) As a Re-joinder, the applicant on last but one page of the application itself, submitted that he is ready to pay Rs.25,00,000/- towards impugned electricity bill, subject to final adjudication, without admitting any liability whatsoever.

5) Heard both sides and perused the record. Ld. Advocate Mr. Rajesh Darvesh for applicant, and Ld. Advocate Mr. R. P. Oka for the respondent, iterated the contentions made in the application and say, respectively.

6) Ld. Advocate for the applicant would point out some copies of the documents to bolster his submission that action taken by the respondent against him is illegal. However, according to Ld. Advocate, without prejudice the applicant is ready to deposit Rs.25,00,000/- in the Court, or pay to the respondent as per Order of the Court, for restoration of the electricity.

7) Ld. Advocate for the applicant relied upon the Order of the **Hon'ble Bombay High Court** passed in **M/s. S. S. Natu Plastic & Metals Pvt. Ltd. & Anr. Vs. The State of Maharashtra and Ors, (In Writ Petition No.7100 of 2025, Judgment dated 06.06.2025)**. Wherein, the **Hon'ble Bombay High Court** was pleased to direct restoration of electricity connection on depositing of Rs.15,00,000/-. According to Ld. Advocate for applicant, it was 1/4th amount of the due claimed.

8) Ld. Advocate for the respondents submitted that at least 50% amount may be directed to be deposited for reconnection of the electricity. It is submitted that M.S.C.D.E.L. is serving Public at large, and its money is of the public. He filed a copy of Order passed by my Ld. Predecessor passed below Exh.5 in Criminal Misc. Application No.189 of 2024, dated 07.01.2025.

9) The Ld. Advocate for the respondent relied upon the Judgment of **the Hon'ble Bombay High Court**, passed in **M/s. Diamond Ice Factory Vs. Maharashtra State Electricity Distribution Co. Ltd. and Ors. (In Criminal Application No.151 of 2022)**.

10) Ld. Advocate for the applicant would submit that Order relied upon by him is recent one, and in the matter relied upon by the respondent, amount was small.

11) It is seen that the applicant is ready to deposit 1/4th amount without prejudice. On the contrary, the respondent requested for ordering deposit of 50%.

12) Without going into further details it can be said that reconnection of electricity is important, as the disconnection adversely affect the consumer. At the same time, M.S.E.D.C.L. is also required to cater needs of consumers, and for which it need to receive amounts of due bills.

13) For deciding the interim application all other aspects

need not to be gone into details.

14) Considering the amount of bill being huge and contested by the applicant, need of amount to the respondent, and considering the decisions of the Hon'ble Bombay High Court relied upon by both sides, I hold that following order would be just and proper, at this stage.

: ORDER :

- 1) The application is partly allowed.
- 2) The applicant shall deposit **Rs.36,73,440/-** that is 40% amount of Rs.91,83,600/- with M.S.E.D.C.L.; and upon said amount being deposited, the respondent shall restore the electricity connection at the earliest and in any case within **48 hours** of receipt of the amount.
- 3) Only to this extent the application is allowed.

Mangaon.
Date: 16.05.2026.

(S. T. Bhalerao)
Additional Sessions Judge,
Mangaon, Dist. Raigad.