

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6607 OF 2012

M/s.Vikram Printer Pvt.Ltd.	.. Petitioner
V/s	
Executive Engineer	
Maharashtra State Electricity Distribution Co.Ltd.	.. Respondent

Mr.A.G.Damle for petitioner.
None for Respondent.

**CORAM : N.M. JAMDAR J.
DATE : 27 August, 2012.**

P.C.:

Heard learned counsel for petitioner.

2. Petitioner is consumer of the Respondent-Maharashtra State Electricity Distribution Co.Ltd. Petitioner was charged electricity as per the industrial use tariff plan from the year 1972. However from 7 April 2006 petitioner was being charged as per the tariff applicable to commercial use. On 9 June 2011, petitioner made application for correction of the category, which was allowed on 18 March 2011. Thereafter the petitioner made an application on 9 November 2011 for refund of the amount which has been rejected by the Dispute Redressal Forum by its order dated 22 December, 2011 relying on Clause 6.6 of the concerned Regulations. This order has also been confirmed in the appeal.

3. Learned counsel for the petitioner submits that the limitation prescribed under clause 6.6 of the concerned Regulations will not arise in the present case as the grievance of the petitioner was redressed by the

authority itself on 18 March 2011 and the said clause will not bar the petitioner from seeking refund of the amount which was admittedly wrongly charged from the petitioner.

4. Issue notice to the Respondents returnable after three weeks.

5. In addition to service of notice through Court, the advocate for the petitioner shall serve a private notice by Registered Post A.D and/or courier service and/or by hand delivery to the respondents and shall file affidavit of service before the returnable date.

(N.M.JAMDAR, J.)