



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

931 WRIT PETITION NO.5273 OF 2020

MAHARASHTRA STATE ELECTRICITY DISTRIBUTION  
COMPANY LIMITED

VERSUS

M/S LALIT INDUSTRIES

...

Mr.A.S. Bajaj, Advocate for the petitioner.

...

CORAM : V.L.ACHLIYA,J.

DATE : 04.08.2020

ORAL ORDER :

By this Petition filed under Article 227 of the Constitution, the petitioner has challenged the order dated 11.07.2019 passed by the Electricity Ombudsman, Nagpur in Representation No.37 of 2019.

2. In brief, it is the contention of learned counsel for the petitioner that the impugned order has been passed by placing reliance upon the Full Bench decision of this Court in the case of *Maharashtra State Electricity Distribution Company Ltd.,V/s Electricity Ombudsman, Mumbai and another* reported in *2019 SCC Online Bom 483*, which is implied overruled by the decision of the Apex Court in the case of *Assistant Engineer (D1), Ajmer Vidyut Vitram Nigam Limited and another*



*V/s Rahamatullah Khan alias Rahamjulla in Civil Appeal No.1692/2020 (arising out of SLP (Civil) No.5190/2019) decided* vide judgment and order dated 18<sup>th</sup> February, 2020

3. Considering the submissions advanced in the light of the decision of the Apex Court in the case of *Assistant Engineer (D1), Ajmer Vidyut Vitram Nigam Limited and another V/s Rahamatullah Khan alias Rahamjulla (supra)*, I am of the view, the Petition deserves consideration. Hence the following order :-

**ORDER**

(i) Issue notice to the respondent, returnable on 15<sup>th</sup> September, 2020.

(ii) There shall be ad-interim relief in terms of prayer clause (C).

(iii) Stand over to 15<sup>th</sup> September, 2020.

**[V.L.ACHLIYA]  
JUDGE**