

S U P R E M E            C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

CIVIL APPEAL NO.7062 OF 2011  
(For Prel. Hearing)

MAHARASHTRA ELECT.DIST.CO.LTD.

Appellant (s)

VERSUS

MAHARASHTRA STATE ELECT.REGL.COMMN.&amp; ORS

Respondent(s)

(With appln(s) for ex-parte stay and office report)

Date: 29/08/2011      This Appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Appellant(s)

Mr. Vikas Singh, Sr. Adv.  
Mr. Lakshmi Raman Singh, Adv.  
Mr. Abhishek Mitra, Adv.  
Mr. Samir Malik, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Heard learned counsel for the appellant.

The civil appeal is disposed of.

No order as to costs.

[ Alka Dudeja ]  
A.R.-cum-P.S.

[ Madhu Saxena ]  
Assistant Registrar

[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7062 OF 2011

Maharashtra Electricity Distribution Co.Ltd. ...Appellant(s)

Versus

Maharashtra State Electricity Regulatory  
Commission and Ors.

...Respondent(s)

O R D E R

Heard learned counsel for the appellant.

Learned senior counsel appearing on behalf of the  
appellant states that the amount involved in the present case

is nearly Rs.14,000 to Rs.15,000/-, which will be refunded to Respondent No.2 within six weeks from today. However, we make it clear that, in the present case, the Tribunal and the State Commission have directed the appellant to refund the amount to similarly situated persons, which runs into Rupees 30 crores to 40 crores. Since no other consumer moved the Commission/Tribunal, we are confining the impugned order only to the facts of the present case. Liberty is given to the appellant to move this Court in case any other consumer lay his claim in future. This reasoning is also required to be stated because, for the last ten years, no consumer has moved the Commission/Tribunal.

The civil appeal is, accordingly, disposed of.  
No order as to costs.

.....CJI.  
[S.H. KAPADIA]

.....J.  
[K.S. RADHAKRISHNAN]

.....J.  
[SWATANTER KUMAR]

New Delhi,  
August 29, 2011.