IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

W P. No. 14555 of 2021

Between:

M/s Sri Srinivasa and Company  
Rep by its Managing Partner P Subba Rao S/o late Vengal Rao Office at Sy No 452/1 Puppalaguda Village Ibrahimbagh Hyderabad.

… Petitioner

AND

1. Telangana State Southern Power Diskibution Corporation Ltd, Rep. by its Chairman and Managing Director, H.No.6-1-50, Mint Compound, Khairatabad, Hyderabad.

2. The Chief General Manager (Commercial), Telangana State Southern Power Distribution Corportion Ltd., Ground Floor, Mint Compound, Hyderabad.

3. The Superintending. Engineer (Operation), Cybercity, Hyderabad.

4. The Senior Accounts Officer (Operation), Cybercity, Hyderabad. 5. The Assistant Divisional Engineer-1, lbrahimbagh, Cybercity, Hyderabad.

…Respondents

COUNTER AFFIDAVIT FILED BY RESPONDENTS

I, S/o. , Age: , Occ: , Hyderabad do here by solemnly affirm and state on oath as follows:

I am and well acquainted with the facts of the case and I am authorized to depose on behalf of 1st Respondent.

1. It is submitted that, that the present Writ petition has been for considering the request of Petitioner to pay the Arrears amount of Rs.35,97,522/- in four (4) installments. The 1st installment immediately and the balance in (3) installments on or before 15-07-2021, 30-07-2021 & 15-08-2021, respectively and for Restoration of Power Supply. The Hon’ble Court directed the petitioner to pay 1/4th of demanded amount of Rs.35,97,522/- within a period of one week from the date of order. On such deposit the respondents authorities shall Restore Power Supply to the petitioner. It is made clear that the amount of Rs.3,00,000/- stated to have been paid by the petitioner shall also be taken into account while calculating the 1/4th amount.

The petitioner is further directed to submit a representation to the authorities seeking installments for paying the balance amount within a period of one week from today. On such representation being made, the official respondents shall consider the same sympathetically and pass necessary orders, as per Law, as expeditiously as possible, preferably within a period of two weeks thereof.

2. It is submitted that the consumer paid an amount of Rs.5,99,380/- vide P.R.No.1072115350016 Dt.01-07-2021 and after taking in to account the amount of Rs.3,00,000/- already paid, towards 1/4th of total dues of Rs.35,97,522/- and made a representation for further installments vide letter dated 03-07-2021.

3. It is submitted that the, Petitioner has been granted two more installments vide Lr.No.CGM(Rev)/GM(R)/SAO(R)/AO(HT)/JAO/HT/ D.No.158/21, Dt.17-07-2021, subject to payment of additional charges / Surcharges as per Tariff condition / General Terms and Conditions of Supply (GTCS). However,the Petitioner is liable to pay any other dues like ACD, FSA, Court Case, Theft Case amount if any **along with CC Bill Amount on or before due date.**

The schedule of installment as follows:

|  |  |  |
| --- | --- | --- |
| **Installment No.** | **Due Date for payment** | **CC Arrears** |
| 1 | Immediately | Rs.13,49,000/- |
| 2 | On or before 18-08-2021 | Rs.13,49,142/- |
| **Total** | | **Rs.26,98,142/-** |

The Sanction of installments as ordered above is subject to payment of additional charges surcharges as per the Tariff Order / GTCS and the following conditions:-

1. The first installments should be paid immediately along with AMOUNT PAYABLE IF ANY.
2. The other installments should be paid on or before the due date mentioned above.
3. No further installments or rescheduling of given installments or further extensions shall be considered.
4. The monthly CC bills should be paid regularly.
5. The service is liable to disconnection for default in payment of CC Charges or ACD Charges or above installments amount at any time without any further notice.
6. ***The current month demand to be paid within the due date.***

It is submitted that all the allegations made by the petitioner that are not specifically dealt with herein are denied and the petitioner is put to strict proof of the same.

It is therefore prayed that this Honorable Court may pleased be to dismiss the writ petition with costs in the interest of Justice.

Sworn and signed before me DEPONENT

On this day of July, 2021

At Hyderabad

Advocate: Hyderabad

VERIFICATION

I S/o. , Age: years , Occ: do hereby verify and declare that the facts stated in the above paragraphs of the affidavit are true to my personal knowledge, belief, information and also legal advise from my counsel.

Hence verified on this the day of July 2021 at Hyderabad.

DEPONENT

Counsel for the Respondent