

SUPREME COURT OF INDIA

Twenty First Century Wire Rods

Vs.

Administrator,D.& N.Haveli

C.A.No.893 of 2008

(Altamas Kabir and J.M.Panchal,JJ.)

01.02.2008

ORDER

[Arising out of SLP(C)No.26252 of 2005]

1. Leave granted.
2. By a demand notice dated 22nd September, 2003 the Administration of Dadra and Nagar Haveli, in its Electricity Department demanded a sum of Rs.1,70,58,412.00 from the appellants on account of un-metered electricity said to have been consumed by the appellants. Pursuant to the said notice, various sums were deposited by the appellants till 6th December, 2004 when by a fresh notice of even date, the appellants were directed to pay the balance sum of Rs.70,42,887 within 10 days from the date of the issue of the letter, failing which the power supply to their establishment would stand disconnected without further notice.
3. Challenging the said notice, the appellants moved the High Court, which ultimately dismissed their writ petition but granted six weeks time to move this Court. The appellants, accordingly, moved this Court by way of special leave petition No.26252 of 2005 and on 5th January, 2006 this Court directed notice to issue only on the limited question regarding payment of the balance amount of Rs.74 lakhs within further time than had been granted by the High Court. In the said order, the appellants were also directed to continue to deposit a sum of Rs.15 lakhs per month till full payment was made. It has now been submitted by an affidavit filed by the appellants that the entire amount has been paid. Nothing, accordingly, survives in the appeal. However, as pointed out by learned counsel appearing for the respondents, the question of payment of interest still remains to be decided.
4. We, accordingly, dispose of this appeal by recording the fact that the balance amount has been paid and the power supply to the appellants establishment should not, therefore, be disconnected on this count. However, the respondents will be at liberty to compute the interest, if any, payable and to raise a fresh demand in respect thereof. There will be no orders as to costs.

