

(2000) 09 DEL CK 0025

In the Delhi High Court

Case No : Civil Writ Petition No. 5103 of 2000 and C.M. 7869 of 2000

Arvind Kumar and Others

APPELLANT

Vs

M.T.N.L. and Others

RESPONDENT

Date of Decision : 19-09-2000

Acts Referred:

Citation : (2001) 1 AD 79 : (2001) 3 CivCC 278 : (2000) 88 DLT 504 : (2001) 3 RCR(Civil) 502

Hon'ble Judges : Manmohan Sarin, J

Bench : Single Bench

Advocate : Mr. Deepak Tyagi Adv, for the Appellant; Mr. Ravi Sikri, Along with Mr. B.D. Singh, D.G.M. (Finance) MTNL, for the Respondent

Judgement

Manmohan Sarin, J.—Rule.

With the consent of the parties the writ petition is taken up for disposal.

2. The grievance of the petitioner is that despite his repeated entreaties the respondents failed to raise the bill for his telephone number 742-0195. Petitioner was suddenly confronted, in June 2000, with a bill for the sum of Rs. 69.064.00, which included late payment charge of Rs. 2,000/-. It is not disputed before me that the delay in billing had emanated out of the respondents' own failure to feed the necessary data in the computer. In fact, the nothings on the file reveal that one of the causes for the delay was that one of the employees, who was dealing with the case, had been transferred. The situation for the petitioner further aggravated when, as per the petitioner, he met senior officials of the respondent including the DGM (Finance), for grant of installments. As per the petitioner, his requests were not heeded to. In these circumstances, Mr. B.D. Sharma, DGM (Finance), MTNL, was directed to be personally present.

3. Mr. B.D. Sharma is present in Court today. He has produced before the Court petitioner's request for installments, wherein he had directed grant of five installments. As per the respondents, this decision was conveyed to the

petitioner on telephone. This does not inspire confidence, in as much as, the petitioner is unlikely to have approached the Court with this writ petition, had this decision about grant of installments been conveyed to him. Be that as it may, this controversy need not detain us any further.

4. The desirability of attending to the grievances of the subscribers in the present day context of highly competitive business has been emphasised upon the DGM (Finance), MTNL.

5. Let petitioner pay the amount demanded by the respondents less the late payment charges and the charges towards telephone rental for the period during which the telephone remained disconnected, in six monthly installments, commencing from 21st October, 2000. On payment of the first Installment by 21st October, 2000, petitioner's telephone number 742-0195 shall be restored. Petitioner shall also continue to pay the current charges for use of the telephone. In case petitioner defaults in payment of any two consecutive installments or fails to pay the entire amount by 21st March, 2001, respondents shall be entitled to disconnect the telephone.

6. The writ petition stands disposed of with the above directions.