

**(2017) 11 UK CK 0011**  
**In the Uttarakhand High Court**  
**Case No : 2742 of 2017**

**M/s Srishti Steel Industries Private Limited Vs Uttarakhand Power Corporation Limited (UPCL)?& others**

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**Date of Decision :** 03-11-2017

**Acts Referred:**

**Citation :** (2017) 11 UK CK 0011

**Hon'ble Judges :** Manoj K. Tiwari

**Bench :** Single Bench

**Advocate :** Davesb Bishnoi, Piyush Garg, D.S. Patni

**Final Decision :** Disposed

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## **Judgement**

1. Heard learned counsel for the parties and perused the record.

2. By means of this writ petition, petitioner has sought following relief:-

Issue a writ, order or direction in the nature of certiorari quashing impugned order dated 31.10.2017 (Annexure No. 3) passed by the respondent no. 3.

3. Petitioner is a Private Limited Company, which owns a Steel Plant, which has a unit in Kashipur, District Udham Singh Nagar for manufacturing Mild Steel (M S Ingot). Uttarakhand Power Corporation Ltd. (in short "UPCL") had outstanding dues to the tune of Rs. 2,42,96,870/- and on petitioner's request the Managing Director of UPCL permitted the petitioner to repay the said amount in 29 equal installments.

4. The amount of first installment was paid by the petitioner through cheque dated 25.10.2017, which was dishonoured by the Bank. Consequently, the Uttarakhand Power Corporation Ltd. had withdrawn the facility of repayment of the outstanding amount in easy installments and has also disconnected the electric connection of the petitioner/firm.

5. According to the learned counsel for the petitioner, due to festive season, he could not maintain sufficient balance in his account, which resulted in dishonouring of cheque by the bank. He submits that petitioner has deposited

the entire amount of cheque through RTGS, which has been credited in the account of UPCL on 01.11.2017. Thus, according to the petitioner, there is no willful default on its part. Therefore, petitioner seeks restoration of the electricity connection.

6. Sri Piyush Garg, learned counsel appearing for the UPCL assures the Court that if petitioner makes a representation to the Managing Director of UPCL, the same shall be decided within three days from the date of production.

7. In such view of the matter, the writ petition is disposed of with liberty to the petitioner to make representation to the Managing Director, UPCL within three days from today i.e. on or before 06.11.2017. If such representation is made by the petitioner, the same shall be decided by the Managing Director within three days from the date of production of such representation.