

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

SPECIAL LEAVE PETITION (CIVIL) DIARY NO(S). 48458/2026

[Arising out of impugned final judgment and order dated 06-05-2026 in WRITC No. 12303/2026 passed by the High Court of Judicature at Allahabad]

PURVANCHAL VIDYUT VITRAN NIGAM LIMITED

Petitioner(s)

VERSUS

M/S. OM FOOD MANUFACTURING CENTER & ORS.

Respondent(s)

IA No. 258749/2026 - CONDONATION OF DELAY IN FILING, IA No. 258748/2026 - EXEMPTION FROM FILING O.T., IA No. 262761/2026 - EXEMPTION FROM FILING O.T., IA No. 262763/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 18-09-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) : Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Ms. Disha Jham, Adv.
Mr. Suraj Singh, Adv.

For Respondent(s) : Mr. Ashish Kumar Upadhyay, AOR
Ms. Maitri Goal, Adv.
Mr. Varun Ranjan, Adv.
Mr. Anubhav Chaturvedi, Adv.
Mr. Sachin Kumar Verma, Adv.
Mr. Devendra Kumar Mishra, Adv.

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

1. The submission on behalf of the appellant is that the admitted facts were:

(I) Load was enhanced to 140 KV on 14.07.2023;

(ii) On 01.07.2025 notice was issued to the respondent (i.e. the writ petitioner) demanding Rs.54,14,196.88 for it being undercharged; and

(iii) the demand was not paid;

2. Therefore, a fresh demand of Rs.62,03,152/- was made vide notice dated 24.10.2025 which included the earlier load demand + surcharge payable for default. It is submitted that the first notice dated 01.07.2025 is within two years of the period for which the demand was raised. Thus, the demand was within the occurrence of contours of the Section 56 of the Electricity Act, 2003 and as such it could not have been faulted.

3. Delay condoned.

4. Issue notice.

5. Notice on behalf of the first respondent (writ petitioner) has been accepted by Mr. Ashish Kumar Upadhyay, Advocate.

6. The learned counsel for the respondent prays for and is allowed two weeks' time to file counter affidavit.

7. Rejoinder affidavit, if any, may be filed two weeks thereafter.

8. List this matter on 27.10.2026.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)