

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CR No. 7476 of 2013 (O&M)
Date of decision: 08.09.2015**

PSPCL and others

... Petitioners

versus

Bar Association, Phagwara and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Yash Paul Khullar, Advocate for the petitioners.

Mr. Hitesh Kaplish, Advocate for respondent No.1.

K.Kannan, J.

The counsel for the Bar Association sought for an interim prayer that Electricity service must be so rendered that there is an uninterrupted power supply to the Court premises, Phagwara. The Courts below have granted such a relief. The Electricity Board is aggrieved and says that it is not possible to render such an exercise and give such an undertaking. The counsel appears on behalf of the respondent states that in yet another Court complex at Hoshiarpur a similar prayer was made and the electricity Board conceded for such an uninterrupted supply if the government was prepared to fund the necessary infrastructure by depositing Rs.10,00,000/-. The Court was passing an order on a concession made by the Electricity Board that they will be in a position to make such a supply if the resources of the government are made available and disposed of the civil revision as having been become infructuous.

The Electricity Board states that it is not possible to give uninterrupted supply unless the requisite deposit is made by the State to make possible such a facility. The State is not a party and there is no way such a compulsion could be made. What was possible for a Court to do in a matter of concession given by Electricity Board cannot be a rule for its application in yet another proceedings. It is a fanciful right claimed by a

consumer that Electricity supply must be uninterrupted. Any injunction can be issued only in respect of matters over which the Court can exercise its effective supervision. I do not think that it would be possible for a Court to ensure that there is an uninterrupted power supply. It is simply inefficacious to allow for such a fanciful claim and more so, at an interlocutory state.

I set aside the order as not tenable for the present and allow the civil revision petition with the above observations.

(K.KANNAN)
JUDGE

08.09.2015

kv