

CWP No.1502 of 2015

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

CWP No.1502 of 2015 (O&M)

Date of decision: 07.12.2015

Dilbag Singh

....Petitioner

Versus

Punjab State Power Corporation Ltd. and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?
- 2) To be referred to the Reporters or not ?
- 3) Whether the judgment should be reported in the Digest ?

Present: - Mr. B.S. Jaswal, Advocate, for the petitioner.
Mr. P.C. Goyal, Advocate, for respondents No.1 to 4.
Mr. Sandeep Bansal, Advocate, for respondent No.5.

PARAMJEET SINGH, J. (ORAL)

Instant writ petition under Articles 226/227 of the Constitution of India has been filed for quashing the order dated 22.12.2014 (Annexure P-12) passed by respondent No.4 – Assistant Executive Engineer (P), Sub-Division, Kathunangal, District Amritsar.

Brief facts of the case are that petitioner purchased 30 kanals 18 marlas of land situated in Village Verka, District Amritsar from one Ram Singh vide sale deed dated 06.05.2014 along with tubewell connection No. MP-516 existing in the said land which was also in the name of Ram Singh vendor. Specific affidavit dated 05.06.2014 has also been given by power of attorney regarding transfer of tubewell connection No.MP-516 in the name of the petitioner. In pursuance of

CWP No.1502 of 2015

the sale deed and affidavit, petitioner applied to the authorities for transfer of connection in his name. The aforesaid connection was transferred in the name of the petitioner on 11.06.2014 and new connection No.AP-48/584 was allotted to the petitioner. However, on an application dated 26.06.2014 moved by respondent No.5, aforesaid connection was cancelled by respondent No.4 – Assistant Executive Engineer (P), Sub-Division, Kathunangal, District Amritsar, vide order dated 22.12.2014 (Annexure P-12) on the ground that connection was got transferred on the basis of fake documents. Hence, this writ petition.

I have heard learned counsel for the parties and perused the record.

Admittedly, ownership of the aforesaid connection was in the name of Ram Singh and the same is said to have been sold to the petitioner. In view of this, respondent No.4 is directed to restore/transfer the aforesaid connection in the name of the petitioner and connection bearing No.MP-549 be shifted to the land of respondent No.5 in accordance with law as this connection is claimed to be in the name of respondent No.5. It is made clear that this order relates only to change of name of the connection from Ram Singh to petitioner with respect to aforesaid connection.

Disposed of.

(Paramjeet Singh)
Judge

December 07, 2015
R.S.