

CWP No.21764 of 2013

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

CWP No.21764 of 2013
Date of decision: 30.11.2015

Ramesh Gupta

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam 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. Sandeep Goyal, Advocate, for the petitioner.
Mr. P.S. Poonia, Advocate, for the respondents.

PARAMJEET SINGH, J.

Instant writ petition under Articles 226/227 of the Constitution has been filed for issuance of a writ in the nature of *certiorari* for quashing the memo dated 03.06.2011 (Annexures P-3 and P-4) whereby on account of unauthorized use/theft of electricity under Sections 126, 127 and 135 of the Electricity Act, 2003 penalty of ₹40,458/- and ₹47,522/- has been imposed upon petitioner by respondent No.3.

I need not reproduce the facts of the case as the issue involved in this case has been dealt with by this Court in CWP No.4016 of 2014

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titled '*Satyabir Goyal v. Dakshin Haryana Bijli Vitran Nigam and others*' decided on 14.10.2015 wherein respondents were directed to proceed in accordance with Instruction 8.1 of the Sales Manual and after following due procedure issue notice to the petitioner by the Authorised Officer or Designated Authority. It is further directed that in case the amount is deposited by the petitioner, supply to the premises of the petitioner may be released in accordance with law. However, if the petitioner failed to comply with the assessment order, respondent have been given liberty to proceed in accordance with law.

The decision rendered in the case of *Satyabir Goyal* (supra) is fully applicable to the present writ petition. Resultantly, this writ petition is disposed of in the same terms.

November 30, 2015
R.S.

(Paramjeet Singh)
Judge