

CWP No. 4042 of 2013

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

CWP No. 4042 of 2013.

Date of Decision : 19.09.2015

Buta Singh

...Petitioner

Versus

A.E.E/SDO Punjab State Electricity Board, Jalalabad and another

...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. D.S. Sidhu, Advocate for
Mr. O.P. Kamboj, Advocate for the petitioner.

Mr. Vishal Chaudhary, Advocate for respondent No. 1.

Paramjeet Singh, J. (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India for quashing the award dated 09.11.2009 (Annexure P-1) passed by the Permanent Lok Adalat, Ferozepur.

Although the award has been passed ex-parte against the

petitioner, it does not disclose anything as to on what basis, recovery of Rs. 1,70,576/- has been ordered. There are specific provisions that when the case is of theft of energy then the Electricity Board can proceed under Section 135 of the Indian Electricity Act. Even the calculation of the amount has not been done. Facts have also not been mentioned in the order. The order is non-speaking and without affording any opportunity of hearing.

Accordingly, the award is set-aside. The petitioner will be at liberty to appear before the Permanent Lok Adalat and he shall be afforded an opportunity to file reply/objections etc. The Permanent Lok Adalat shall also look into this aspect whether the department can come to the Permanent Lok Adalat for recovery of money and treat the same as Executing Court.

Disposed of.

September 19, 2015.
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(PARAMJEET SINGH)
JUDGE