

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.3414 of 2015

Date of Decision.25.02.2015

Naranjan Singh (since deceased) through his LRsPetitioner

Versus

Punjab State Power Corporation Limited and anotherRespondents

Present: Mr. Piyush Sharma, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of 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?

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K. KANNAN J.(ORAL)

1. The petitioner brought to himself an order from a Court which had no jurisdiction to pass the order which it did. If there was provisional order of assessment and compounding charges also levied on a ground that there had been theft of electricity, there was no provision for appeal before the District Judge the way it has been informed to the petitioner by the Electricity Corporation. Whole proceedings have therefore, gone topsy-turvy and neither the order allowing for an appeal to be filed before the District Judge nor is the order passed by the District Judge is supportable. I do not think it is necessary for me to proceed to consider the validity of the order since it is issued by a Court without jurisdiction and direction given by the authority to go in appeal was also incompetent.

2. I allow for the petitioner to state his objection against the provisional assessment issued on 12.11.2012 and invite the final order of

assessment to be issued in the manner contemplated by the Regulations.

The petitioner's right will reside by such decision. The petitioner is at liberty to cite the copy of this order and also give his objections within one week from the date of receipt of copy of this order and the respondents are bound to pass a final order of assessment after taking note of the objections.

3. The counsel for the petitioner states that disconnection had been effected after passing of the order of the District Judge. Having regard to the fact that I have set aside the whole order, the Electricity Corporation may effect reconnection and allow for adjudication on his objection in the manner directed above.

4. The writ petition is disposed of as above.

(K. KANNAN)
JUDGE

February 25, 2015
Pankaj*