

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.469 of 2015 (O&M)

Date of Decision: April 28, 2015

IRLE Kay Jay Rolls Pvt. Ltd.

.....Appellant

versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.D.K.Singal, Advocate, for the appellant.

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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?

Surya Kant, J. (Oral)

The appellant assails the order dated 09.12.2014 passed by learned Single Judge whereby its writ petition was allowed and a direction for refund of the amount paid as Peak Load Exemption Charges for the period w.e.f. March 2010 to 10.01.2011, has been issued.

The only ground taken in this appeal is that the learned Single Judge ought to have awarded interest on the amount deposited by the appellant towards Peak Load Exemption Charges.

It is not in disputed that the aforesaid amount has since been refunded to the appellant.

In our considered view, the discretion exercised by learned Single Judge in not awarding interest would not constitute a valid ground to interfere with the order under appeal.

No case to interfere with the order passed by learned Single Judge is made out.

Dismissed.

[SURYA KANT]
JUDGE

April 28, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE

CM No.952 of 2015 in
LPANo.469 of 2015

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IRLE Kay Jay Rolls Pvt. Ltd. Vs. Uttar Haryana Bijli Vitran
Nigam

Limited and others

Present : Mr.D.K.Singal, Advocate,
for the applicant-appellant.

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For the reasons mentioned in the application, the
same is allowed subject to all just exceptions and 5 days'
delay in re-filing the appeal is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

April 28, 2015
mohinder

(P.B.BAJANTHRI)
JUDGE