

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

**RSA No.1728 of 2015 (O&M)
Date of decision: 22.12.2015**

The Punjab State Electricity Board and another ... Appellants

Vs.

Manpreet Singh and another ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Ms.Geeta Sharma, Advocate
for the appellants.

AMIT RAWAL J. (Oral)

C.M.No.4722-C of 2015

For the reasons stated in the application, duly supported by an affidavit, delay of 150 days in re-filing the appeal is condoned.

C.M. stands disposed of.

C.M.No.4723-C of 2015

For the reasons stated in the application, duly supported by an affidavit, delay of 125 days in filing the appeal is condoned.

C.M. stands disposed of.

RSA No.1728 of 2015 (O&M)

The appellant-defendants are in Regular Second Appeal

against the judgments and decrees of the Courts below, whereby, the demand raised in September, 2001 has been set aside and the appellant-defendants have been held entitled to raise demand only from 27.03.2003 when the alleged checking of the meter was done.

Ms. Geeta Sharma, learned counsel appearing on behalf of the appellant-defendants submits that checking was done on 27.03.2003 and subsequently in August, 2003, a demand of ₹5,05,234/- vide memo No.1514 dated 2.9.2003 was raised, thus, the said demand was within its purview and jurisdiction. At least, demand could have been restricted before six months from the date of the checking, thus, there is illegality and perversity in the impugned judgments and decrees of the Courts below.

I have heard learned counsel for the appellant-defendants and appraised the impugned judgments and decrees of the Courts below.

It is a matter of record that meter of the consumer was checked on 27.03.2003 and subsequently on 27.08.2003 and the Electricity Board, after having received report from the Senior Executive Engineer, Enforcement, I am of the view that there is no substance/foundation made in raising the demand in the month of September, 2001, in essence, no yardstick/rule or regulation has been shown and rightly so, the trial Court decreed the suit in part holding the demand value w.e.f 27.03.2003 and not prior to that.

In view of the aforementioned observations, I do not

intend to differ with the findings rendered by both the Courts below, which are based upon the appreciation of oral and documentary evidence, much less, no substantial question of law arises for determination of this Court.

Accordingly, the appeal is dismissed.

(AMIT RAWAL)
JUDGE

December 22, 2015
savita