

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

**CR No.5568 of 2016
Date of decision:30.08.2016**

Balwinder Singh

... Petitioner

Vs.

Assistant Executive Engineer, Punjab
State Power Corporation Limited

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Vikram Anand, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the impugned order dated 23.10.2015, whereby, the petition filed under Section 22(c) of the Legal Services Authorities Act, 2002 at the instance of the Punjab State Power Corporation Limited (hereinafter referred to as “PSPCL”) for claiming payment of electricity consumption charges to the tune of ₹1,86,968/- for the period from March 2007 to November 2007 relating to telephone connection bearing account No.SP-61/0259, has been allowed.

Mr. Vikram Anand, learned counsel appearing on behalf of the petitioner submits that earlier a petition regarding the disputed amount was instituted on 28.03.2008 before Permanent Lok Adalat, Jalandhar which was decided in favour of

respondent and accordingly, an ex parte award was passed on 17.01.2011. However, an application was moved at the behest of petitioner for setting aside the ex parte award which was declined on 16.02.2012. The petitioner challenged the said order vide CR No.2114 of 2012 which was allowed by this Court on 23.08.2013 by giving an opportunity to the petitioner to lead evidence. He further submits that Permanent Lok Adalat has no jurisdiction for adjudication of the lis as it is a disputed question, therefore, the petition filed under Section 22(c) of the Legal Services Authorities Act, was not maintainable and thus, urges this Court for setting aside the impugned order.

I have heard learned counsel for the petitioner and appraised the paper book and of the view that the installation of the electricity connection and its disconnection on 24.10.2007 has not been denied. Even maintainability of the petition was not challenged. The claim was instituted in the year 2008 for recovery of amount due in 2007 and therefore, in my view, the same cannot be beyond the period of limitation. The consumption data, i.e., copies of bills Ex.A10 to A18 tendered in additional evidence show that the petitioner has consumed the electricity but did not pay the charges. The consumer cannot go escrow free in not making the payment of consumption of electricity.

In view of the aforementioned observations, I do not intend to differ with the findings rendered by the Court below which are based upon the appreciation of documentary evidence placed on record.

No ground is made out for interference in the impugned order.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

August 30, 2016
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No