

218.

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

Civil Revision No.7518 of 2014 (O&M)

Date of decision:13.01.2016

Ram Avtar

... Petitioner

versus

Dakshin Haryana Bijli Vitran Nigam Limited and another.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Ashok Tyagi, Advocate,
for the petitioner.

Mr. Jai Bhagwan, Advocate,
for the respondents.

K.Kannan, J. (Oral)

The plaintiff whose suit challenges a penal levy issued for alleged theft of electricity, has sought for interim injunction against the recoveries. The prima facie case pleaded is that the said court acquitted him of the charge of theft and the issue of administration of civil liability under Section 154(5) of the Electricity Act cannot arise in the event of an acquittal. There is a sure prima facie case for the plaintiff and there ought to be a relief of injunction in the manner sought. The order passed already is set aside and the revision petition is allowed. This will abide by the final adjudication at the time of suit.

**(K.KANNAN)
JUDGE**

13.01.2016

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