

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

-:-

C.W.P No. 10969 of 2013 (O&M)

Date of Decision: February 15, 2016.

**Shree Ram Gopal Jhunthra
Charitable Trust Dharmshala**

..... Petitioner

Versus

Permanent Lok Adalat, Public Utility Services & Ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. Akshay Jain, Advocate, for the petitioner(s).

Mr. Ashok S. Chaudhary, Addl. Advocate General, Haryana.

Rajesh Bindal, J.

The petitioner, which is a Dharamshala, has approached this Court for quashing the award dated 11.04.2013, vide which respondent No.2 was granted liberty to disconnect the water connection installed in the premises and to recover the bill amount, as according to the respondents, large number of commercial activities were being carried out in the premises. The bill raised was challenged before the Permanent Lok Adalat, Public Utility Services, where the petition was dismissed.

Vide order dated 07.12.2015, this Court directed the respondents to ascertain whether the water connection provided by the Municipal Council is being used only for the purpose of 'Piao' and not for any other purpose.

Learned counsel for the State has produced inspection report prepared by Lila Dhar Bansal, Sub-Divisional Engineer, Public Health Engineering Department, Sub-Division No.3, Sirsa in the Court today and

the same is taken on record. Relevant part thereof is reproduced as under:-

“The Public Health Water Connection No.140 is installed in petitioner's Shree Ram Gopal Jhunthra Charitable Trust-Dharamshala, situated near Civil Hospital, Sirsa-125055 (Haryana) has been thoroughly inspected by me along with Sh. Mohan Lal, Junior Engineer and Sh. Surjeet, Fitter on 09.02.2016. After verification on the site, it was found that the water of above mentioned connection is exclusively being used by petitioner for “Piao” for drinking water and it is not used for any other purposes.”

A perusal of the report shows that the water connection was being exclusively used by the petitioner for the purpose of 'Piao' and not for any other purposes.

In view of the aforesaid report submitted by the learned State counsel, the dispute no longer survives and the respondents shall be at liberty to raise the bill to the petitioner for consumption of water treating the same to have been used for 'Piao' and not for commercial purpose. The petitioner shall be liable to pay water charges in the category where the water is used for the purpose of 'Piao'.

The award dated 11.04.2013 passed by the Permanent Lok Adalat, Public Utility Services, Sirsa, Haryana is set aside and the petition is disposed of, accordingly.

February 15, 2016
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(RAJESH BINDAL)
JUDGE