

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.24112 of 2012

Date of decision:20.9.2016

M/s Amritsar Textile Processors Association and another ...Petitioners

Versus

Punjab State Power Corporation Ltd. and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.L.M.Suri, Sr. Advocate with
Mr.Neeraj Khanna, Advocate for the petitioners.
Mr.Vikas Chatrath, Advocate for respondents No. 1 to 3.
Mr.Sanjiv Pabbi, Advocate for respondent No.4.

RAMESHWAR SINGH MALIK, J. (Oral)

It is not in dispute that the petitioners have got the remedy of appeal against the impugned order before the Appellate Tribunal under Section 111 of the Electricity Act, 2003. It is also not in dispute that the Appellate Tribunal has been constituted and working. Petitioners have not availed their remedy of appeal, before approaching this Court by way of present writ petition.

In view of the above-said undisputed fact situation, petitioners are relegated to their equally efficacious alternative remedy of statutory appeal before the Appellate Tribunal.

The above-said view taken by this Court also finds support from an order passed by this Court in **CWP No.22256 of 2012 (M/s Victor Forgings Vs. Punjab State Power Corporation Ltd. and others.)**

However, it is made clear that if the petitioners would file appeal within the stipulated period of 45 days from the date of receipt of a certified copy of this order, provided under the Electricity Act of 2003, the respondents shall not raise the issue of limitation before the Appellate Tribunal.

With the above-said observations made, the present writ petition stands disposed of.

20.9.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No