

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

CWP No.58 of 2016
Date of Decision:-07.01.2016

Punjab State Power Corporation Ltd. and another
..... Petitioners

Vs.

Permanent Lok Adalat (PUS), Sangrur and another
..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.P.C. Goyal, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed against the order of the Permanent Lok Adalat (PUS), Sangrur by which the application filed by the respondents under Section 22-C of the Legal Services Authority Act, 1987, seeking direction to the petitioners to withdraw the demand of ₹8,49,944/-, raised vide letter dated 16.8.2012, was allowed.

The Permanent Lok Adalat has not allowed the petitioners to recover the amount while referring to Section 56(2) of the Electricity Act, 2003 [for short 'the Act'], which read as under: -

“Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer, under this Section shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrear of charges for

electricity supplied and the licensee shall not cut off the supply of the electricity.”

It is not disputed by learned counsel for the petitioners that for the amount, which was due on 27.2.2008, the demand was raised on 16.8.2012, therefore, it was clearly barred by limitation as provided under Section 56(2) of the Act.

Although learned counsel for the petitioners has vehemently argued that the order passed by the Permanent Lok Adalat is illegal but in view of Section 56(2) of the Act and the fact that the demand has been raised after a period of four years, no error is found in the impugned order. Consequently, the present petition is found to be denuded of merits and is hereby dismissed.

07.01.2016

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**