

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45677-2016 (O&M)

Date of Decision: 04.08.2017

SHAMSHER SINGH

... *Petitioner*

VS.

STATE OF PUNJAB AND OTHERS.

...*Respondents*

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Amaninder Preet, Advocate,
 for the petitioner.

 Mr. C.L. Pawar, Sr. DAG, Punjab.

 Mr. Rishu Garg, Advocate,
 for respondent No. 4.

KULDIP SINGH, J (ORAL)

Status report by way of an affidavit of Sh. Surinder Kumar Sharma, PPS, Deputy Superintendent of Police, Sub Division, Tapa District Barnala, on behalf of respondent Nos. 1 to 3, has been filed in the Court today. Reply on behalf of respondent No. 4 has also been filed in Court today. Both documents are taken on record.

The present petition has been filed under Section 482 of Code of Criminal Procedure (Cr. P.C.) for issuing directions to the respondents No. 2 and 3 for taking appropriate legal action against respondent No. 4 who is creating hindrance in installation of new AP Motor connection released in favour of the petitioner.

The petitioner claims that new AP Motor connection has been released in his favour which is to be installed by laying down 11 K.V. line. It is stated that despite a complaint made to the Assistant Executive Engineer (Distribution) Sub-Division, Punjab State Power Corporation Ltd. (PSPCL) respondent No. 4 is creating hindrance.

The stand of the State is that respondent No. 4 has been challaned under Sections 107 and 151 Cr. P.C. and appropriate action is being taken against him.

However, the stand of the respondent No. 4 shows that he has objection to the estimates. It is sought to be suggested that the said line may be passed from some other place instead of the fields of the respondent No. 4. Meaning thereby, respondent No. 4 clearly makes out that he has got objection in installing of the 11 K.V. line for the new A.P Motor connection released in favour of the petitioner.

I am of the view that respondent No. 4 cannot obstruct the working of the PSPCL in laying down the 11 K.V. line for installation of the new AP motor connection.

It being so, the present petition is disposed of with a direction to respondents No. 2 and 3 to restrain respondent No. 4 from obstructing the working of the PSPCL in laying down the 11 K.V. line and installation of new AP motor connection released in favour of the petitioner. If respondent No. 4 still obstructs the working of the officials of PSPCL, the police shall take legal action against the respondent No. 4 and may detain him for the offence committed by him for obstructing the public servants from discharging their public duties. The police shall also ensure that working of the electricity authorities and release of connection is not obstructed by respondent No. 4.

August 4, 2017
Suresh Kumar

(KULDIP SINGH)
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes / No
<i>Whether Reportable</i>	:	Yes / No ✓