

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

(215)

CWP-1178-2015

Decided on: May 18, 2017.

Sahil Khurana

.... Petitioner

Versus

The Managing Director Uttar Haryana Bijli Vitran Nigam Ltd. and ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Deepak Girotra, Advocate, for the petitioner.

Mr. R.S. Longia, Advocate, for the respondents.

M.M.S. BEDI, J (ORAL)

After hearing learned counsel for the petitioner as well as learned counsel for the respondents and going through the order passed by the Electricity Ombudsman, Haryana dated 18.11.2014, it appears that the meter reading record from 2012 to 2014 had been taken into consideration and an observation has been made in the impugned order that wrong readings have been recorded in connivance with the petitioner. For determining the culpability of the officials of the electricity department, it has been suggested that serious action be taken against the delinquent Meter Reader for recording bogus reading. Since the negligence of the officials has come on the record, it had also transpired that the electric meter of the petitioner was found running fast by 19.9%.

In view of said circumstances, calculations were required to be made as per Circular No.U-29/2011 dated 07.09.2011 which deals with the billing of consumers during the period when the meter remains defective/dead stop/burnt/faulty or inoperative. Parameters have been laid

down in the said circular for calculations to be made when the bill is raised on account of defective meter in different categories. A duty is cast upon the Nigam to ensure that the defective meter is replaced positively within one month by serving registered notice.

Without commenting in details on merits and apparent violation of the Regulations and Circulars, I deem it appropriate to set aside the order Annexure P-6 dated 18.11.2014. However, a direction is issued that liability of the petitioner on the basis of alleged defective meter will be reconsidered strictly in accordance with Circular Annexure P-7 by Executive Engineer concerned in accordance with law.

The objections/claim of the petitioner will also be considered as per provisions of law.

(M.M.S. BEDI)
JUDGE

May 18, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No