

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

**C.W.P. No.3335 of 2010
Date of Decision:18.07.2017**

P.S.E.B and another

.....Petitioners

Vs.

Shaheed Baba Deep Singh Hostel & anr.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. J.S. Mehndiratta, Advocate for the petitioners.

Mr. Inderjit Sharma, Advocate for respondent No.1.

Rakesh Kumar Jain, J. (Oral)

This petition is filed against the order of the Permanent Lok Adalat, who has decided the application filed by respondent No.1 under Section 22(C) of the Legal Services Authorities Act, 1987 challenging the correctness of the alleged electricity bill of the petitioner.

The facts given to me in Court are that respondent No.1 is running a hostel. It was having 0.63 KW sanctioned load which was increased to 19.746 KW on 12.08.2008. The electricity meter was allegedly burnt on 25.06.2009 and was replaced on 30.06.2009. The petitioner served demand notice/ electricity bill dated 02.08.2009 for 61 days amounting to ₹1,61,070/- for the alleged consumption of electricity. However, the Permanent Lok Adalat has found that the burnt meter was giving correct reading till 25.06.2009 and was replaced with a fresh meter on 30.06.2009 and in the interregnum, there is no evidence on record that the petitioners had directly supplied the electricity to the consumer. Learned Counsel for the petitioners has submitted that the Permanent Lok Adalat has not allowed the petitioners to lead evidence to prove that respondent No.1 is liable to

pay ₹1,61,070/- for consumption of electricity for 61 days. However, it is not denied that the petitioners have the reading uptill 24.06.2009 i.e. a day before the meter was burnt on 25.06.2009 and after 30.06.2009 when the new meter was installed. It is submitted that if permitted, the petitioners may recover from respondent No.1, the amount of actual consumption of electricity except for a period of five days for which they can apply the formula for calculation of the charges.

Counsel for respondent No.1 also accepted this suggestion. Hence, this petition is disposed of with liberty to the petitioners to raise the bill again on the basis of actual consumption of electricity till 24.06.2009 and work out the electricity having been consumed by respondent No.1 for five days when the meter was out of order and also thereafter for actual consumption when the fresh meter was installed on 30.06.2009. This exercise shall be done by the petitioners within a period of one month and the demand shall be raised accordingly.

With these observations, the present petition is hereby disposed of.

July 18, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No