

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

CWP No. 22550 of 2013

Date of decision : 21.07.2017

Hardev Singh

....Petitioner

V/s

Punjab State Power Corporation Ltd. & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gaurav Sharma, Advocate for
Mr. Anil Shukla, Advocate for the petitioner.

Mr. Parminder Singh-I, Advocate for respondents no. 1 to 5.

RAJAN GUPTA J.

Petitioner has posed a challenge to order, Annexure P-6 whereby a demand of ₹4,35,836/- has been raised on him. It has been urged before the court *inter alia* that meter was changed on request of the petitioner as same was burnt. The Corporation did not follow the procedure as envisaged by Clause 54.7 of the Manual while sending the meter to laboratory for testing. Mr. Parminder Singh-I, learned counsel representing the Corporation submits that the meter was not sealed in the cardboard box for the reason that officials did not suspect that it was a tempered meter. However, when the meter was sent to ME Lab, it was detected that same was running slow and accordingly demand was raised. In view of the stand taken by the Corporation there is no room for doubt that procedure as laid-down by Clause 54.7 was not followed. The matter, thus, needs reconsideration. Impugned order is, thus set-aside. Matter is remitted to same authority for decision afresh. Till the issue is decided, petitioner shall

not be liable to pay the amount beyond 50 percent of the demand as directed by this court while entertaining the writ petition.

Allowed in these terms.

July 21, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No