

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

**CWP-20595-2014 (O & M)
Date of decision: 04.09.2017**

M/s Guru Nanak Industry

....Petitioner

V/s

The Ombudsman Electricity, Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Manu K. Bhandari, Advocate, for the petitioner.

Ms. Ritam Aggarwal, Advocate, for respondent No.5.

Rajan Gupta, J. (Oral)

Petitioner impugns order dated 17.7.2014, Annexure P-9, passed by the Ombudsman, Electricity Punjab, wherein demand raised on the petitioner by the Corporation was upheld to the tune of Rs.9 lacs. Petitioner has primarily placed reliance upon judgment dated 19.12.2015 in a case titled as '*M/s Park Hyundai versus Punjab State Power Corporation Ltd. and others.*' He submits that the matter needs to be decided in accordance with the said judgment. Keeping in view the law laid down in the said case, he prays that the matter be remitted to the same authority for decision afresh.

Prayer for remand is not opposed by the counsel appearing for the Corporation.

In view of above, order dated 17.7.2014, Annexure P-9, is hereby set aside. Matter is remitted to the same authority (Ombudsman, Electricity Punjab) for decision afresh after affording an opportunity of

hearing to the parties. Petitioner shall be at liberty to place reliance on the judgment in *M/s Park Hyundai's case (supra)*.

Petition is allowed in these terms.

September 04, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No