

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

CWP No.2026 of 2017

Date of Decision.03.02.2017

Dhakshin Haryana Bijli Vitran Nigam and othersPetitioners

Vs

M/s Webtech Engineering Pvt. Ltd. and anotherRespondents

Present: Mr. Surinder Mohan Sharma, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The petitioner is aggrieved of the impugned order passed by the Permanent Lok Adalat whereby the demand of ₹7,71,572/- raised by them has been set aside.

Mr. Surinder Mohan Sharma, learned counsel appearing on behalf of the petitioners submits that respondent No.1-company, in violation of the circular issued, was having three electric connections by making misrepresentation. The aforementioned fact came to the knowledge and notice of the petitioners only on receipt of the report *ibid*. It is in this backdrop of the matter, the demand had been raised. The circular does not permit granting of more than one connection. The demand was, thus, justified and the Permanent Lok Adalat did not have the jurisdiction to entertain the aforementioned complaint, as the matter required a deep probe and investigation which could have been done only in Civil Court.

I have heard learned counsel for the petitioners, appraised the paper book and of the view that the demand notice has been set aside on the ground that the demand is illegal and arbitrary and ordered for refund of the aforementioned amount. I am of the view that there has to be application of

mind on receipt of the audit report as to how the Electricity Board had issued three electric connections. No evidence has been brought on record to substantiate that the private respondent had obtained the electricity connections by misrepresentation. Otherwise, the fault cannot be attributed. If it was a serious fault it should be probed into and having passed the buck to the consumer/account holder, in my view, is nothing but an act of fallacy, much less, aberration.

I do not intend to differ with the findings rendered by the Permanent Lok Adalat. No ground for interference is made out, much less, the order cannot be said to be devoid of merit and suffered from any perversity. Resultantly, the writ petition is dismissed.

(AMIT RAWAL)
JUDGE

February 03, 2017
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No