

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

(116)

CWP-2235-2017

Decided on: February 07, 2017.

Kapil Chaudhari

.... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd and others

..... Respondents

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

Present: Mr. Parmod Chauhan, Advocate, for the petitioner.

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

Petitioner claims that he is a consumer holding an account No.MS-12-1339 allotted to him vide notice dated 22.09.2016. He has been directed to deposit Advance Consumption Charges of Rs.25,000/- and Service Connection Charges of Rs.75,000/-, totaling a sum of Rs. 1 lac.

Aggrieved by this notice, the petitioner has sent a representation to the Chief Engineer and Superintending Engineer (Operation) of Uttar Haryana Bijli Vitran Nigam, Panipat, claiming that amount imposed upon the petitioner under the head of fuel surcharge adjustment is unreasonable and the same has been wrongly calculated on average basis.

After hearing learned counsel for the petitioner, I am of the considered opinion that the present writ petition is pre-mature on account of the two facts: (i) the availability of alternative remedy to the petitioner under the Electricity Act and Regulations; and (ii) pendency of his representation Annexure -7 dated 24.01.2017.

It will be expedient, in the interest of justice, at this stage to dispose of this petition as pre-mature with a direction to respondents No. 3 and 5 to consider the representation of the petitioner Annexure P-7 and pass a speaking order and communicate the same to the petitioner within a period of two months.

While disposing of this petition with said direction, it is observed that right of the petitioner to avail alternative statutory remedy can also be availed by the petitioner, if advised so.

It will be the duty of the petitioner to communicate the copy of the petition along with notice/representation Annexure P-7 to the above said authorities.

(M.M.S. BEDI)
JUDGE

February 07, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No