

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

CWP No.26799 of 2017 (O&M)

Date of Decision: 14.12.2017

Dakshin Haryana Bijli Vitran Nigam Ltd. and another

. Petitioners

Vs.

Permanent Lok Adalat, Public Utility Services, Hisar and another

. Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Pawan Kumar Longia, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

Learned counsel for the petitioners has argued that the Permanent Lok Adalat (PUS), Hisar [for short 'the Lok Adalat'] has no jurisdiction to entertain the application filed under Section 22C of the Legal Services Authorities Act, 1987 because the proceedings were initiated against the consumer under Section 126 of the Electricity Act, 2003 [for short 'the Act'] against which the consumer could have filed appeal under Section 127 of the Act.

At the time of preliminary hearing, counsel for the petitioners was specifically asked to place on record the complete material about the issuance of notice under the Act, order of provisional assessment, reply, if any, and the final assessment order but the petitioners have placed on record documents Annexures P-4 & P-5 by way of CM No.17142 of 2017 to contend that the said documents are the provisional assessment and final assessment order.

I am not impressed with the arguments raised by counsel for the petitioners because the documents Annexures P-4 & P-5 in no way are the provisional assessment made under Section 126 of the Act and the final assessment order.

In view of the above, the argument raised by counsel for the petitioners is totally misconceived and therefore, the present petition is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

14.12.2017

Vivek

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No