

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.9148 of 2016 (O&M)
Date of decision: July 17, 2017

Pawan Kumar Gupta ...Petitioner

Versus

Punjab State Power Corporation
Limited and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sanjeeva Gupta, Advocate for the petitioner.
Mr. Piyush Khanna, Advocate for the respondents.

Rajan Gupta, J.

Petitioner has impugned order passed by the Permanent Lok Adalat, whereby his application under Section 22-C of the Act has been dismissed by the Permanent Lok Adalat on the ground that it was not competent to adjudicate upon the same.

Brief factual background of the case is that applicant is a consumer of electricity supplied by respondent Corporation. Vide memo No.7213 dated 30.12.2014, petitioner was charged with theft of power. He was asked to pay penalty and compounding fee. Penalty was assessed as Rs.47875/- and compounding fee as Rs.15,000/-. Petitioner denied that he had committed theft of energy. Besides, he had not been called to ME Lab for examination of the power meter. Reply was also filed by the Corporation. It was stated before the court that Permanent Lok Adalat was not appropriate forum for deciding the question of theft of energy. Separate

proceedings are envisaged by the Electricity Act, 2003 for adjudicating upon such issues.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

It is evident that petitioner has been charged with theft of energy which is an offence. It appears, opportunity was granted to the petitioner to pay penalty and compounding fee so that matter could be settled. Instead, petitioner filed application before the Permanent Lok Adalat. His plea was rightly rejected by the said Forum that it was not competent to adjudicate upon the issue. I find no infirmity with the order. The writ petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

July 17, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No