

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

(118)

CWP-6180-2017

Decided on: March 24, 2017.

Dakshin Haryana Bijli Vitran Nigam, Hisar

.... Petitioner

Versus

The Chairman, Forum for Redressal of Consumer Grievances and ors

..... Respondents

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

Present: Ms. Jarnail Kaur Dhaliwal, Advocate, for the petitioner.

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

Vide impugned order Annexure P-3, Forum for Redressal of Consumer Grievances, DHBVN, Hisar has allowed the application of respondent No.2 Sushila, challenging the demand of outstanding bill of Rs.1,62,000/- which was due from the original consumer Parmod Kumar who had sold the premises i.e. Flat No.5, Kamla Nagar, near ICICI Bank, Hisar.

Forum for Redressal of Consumer Grievances, DHBVN, Hisar had directed the petitioner-Board to release electricity connection to respondent No.2 without insisting on recovery of amount due from previous owner.

Learned counsel for the petitioner has vehemently contended that as per Instruction No.7.3 (8) of the Sales Manual, in case of sale of land/premises by the consumer and his shifting to any unknown place, the present owner of the premises would be liable to pay the defaulting amount of the Nigam being responsible for all the assets/liabilities as existing before the acquisition of the property.

I have heard learned counsel for the petitioner and I am of the opinion that respondent No.2 had challenged the recovery from her because she had purchased the property after duly verifying pendency of any dues against the petitioner-Nigam. As she was in immediate need of plot, she has sold her plot but in August, 2016 when she applied for new connection, she was told by the department that connection could not be given as the earlier occupant was defaulter.

Petitioner claims that respondent No.2 is widow and there does not appear to be any personal liability for utilizing any energy of the petitioner as such in the garb of Instruction 7.3 mentioned hereinabove, the electric connection cannot be denied to her and recovery can also not be made.

Perusal of the impugned order passed by the Forum for Redressal of Consumer Grievances, DHBVN, Hisar indicates that right of the petitioner to recover the amount from the actual culprit, has been safeguarded.

No ground is made out for interference in the order passed by the Forum for Redressal of Consumer Grievances, DHBVN, Hisar.

The petition is dismissed.

(M.M.S. BEDI)
JUDGE

March 24, 2017

harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No