

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RSA No.3374 of 2017 (O&M)

Date of decision: 05.09.2017

Sukhdev Singh and others

..... Appellants

Versus

SDO, Punjab State Power Corporation
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Amit Arora, Advocate
for the appellants.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff is in Regular Second Appeal against the concurrent finding of fact arrived at by the Courts below.

Plaintiff had filed a suit for permanent injunction restraining the defendants from shifting the supply of electric power to the tubewell from urban feeder to rural feeder. Both the Courts after appreciating the evidence available on the file have held that the tubewell connection is for irrigation purposes, therefore, the proposed action of the Board to connect the supply from rural feeder is in accordance with the policy of the respondent.

Learned counsel for the appellants has submitted that there is a circular of the respondent-Corporation which has not been produced although summoned. He submits that therefore adverse influence should have been drawn by the Court.

I have considered the submission of learned counsel for the

appellants and with his able assistance gone through the records of the case.

In the urban feeder the supply of electricity is 24 hours whereas the rural feeder has limited supply for 8 hours a day. Such rural feeder is for the purpose of irrigation of the fields. Merely because the officials of the Corporation have failed to produce a circular, the Court cannot come to a finding that the plaintiff has right to continue to get supply from the feeder which is meant only for domestic supply.

In view of the above, I do not find any good ground to interfere with the concurrent finding of fact arrived at by the Courts below.

Regular Second Appeal is dismissed.

05.09.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No