

COC-1227-2016

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COC-1227-2016

Date of Decision: 5th July, 2018

Dev Dutt

...Petitioner

Versus

Pankaj Deswal

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Parduman Yadav, Advocate, for the petitioner.

Mr. P.S. Chauhan, Advocate, for the respondent.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court alleging non-compliance of the order dated 08.04.2016 passed by this Court in CWP No.3811 of 2016, titled as 'Dev Dutt Vs. UHBVN Limited & others'.

Counsel for the petitioner does not dispute the fact that the petitioner has now been issued a new electricity connection, however, he asserts that he is not required to deposit the charges for the new electricity connection as the old one was required to be restored to the petitioner.

Having considered the submissions made by the counsel for the petitioner as also the stand of the respondent, wherein, it has been asserted that initially the documents which were produced for taking the electricity connection were not found to be genuine by the Department, because of which, the disconnection was ordered, however, subsequent, in the light of the order passed by this Court and keeping in view the fact that the petitioner has submitted the documents showing him to be the owner of the

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property as also fulfilled the further requirement for issuance of new electricity connection, the same has been issued.

Contemner-Pankaj Deswal, Sub-Division Officer City Jagadhari, is present in Court and apologizes for the delay in compliance with the order . An explanation has been sought to be given with regard to the reasons as to why the connection was not earlier issued to the petitioner by asserting that the delay was on the part of the petitioner.

Without going into this aspect and in the light of the fact that the petitioner has been issued a new electricity connection, the Court is satisfied that the order dated 08.04.2016 passed by this Court stands complied with.

One of the co-sharers through counsel Mr. Naveen Jaglan, Advocate, has stated that the issuance of electricity connection in favour of the petitioner would adversely affect his right in the partition proceedings, which are pending before the authorities.

It is clarified that the issuance of electricity connection in favour of the petitioner shall have no bearing on the partition proceedings in any manner.

The present petition stands disposed of accordingly.

Rule issued to the respondent stands discharged.

(AUGUSTINE GEORGE MASIH)
JUDGE

5th July, 2018

Harish

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