

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

CR-4686 of 2018

Date of Decision: 25.07.2018

Gurditta Ram

.....Petitioner

Vs.

Punjab State Power Corporation Ltd. and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Harmanpreet Sehgal, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner challenges the order dated 18.05.2018 (Annexure P-6), passed by the learned Civil Judge (Junior Division), Malout, by which the application dated 16.03.2018 (Annexure P-4), directing the respondents/defendants to get the electricity meter produced in Court, has been rejected; which meter, as per the case of the petitioner/plaintiff, is defective, leading to a huge bill of Rs.19,15,670/- being generated.

A perusal of the said order shows that the application has been rejected on the ground that the report, i.e. Ex.W-1/B (which is a report stated to be made upon the meter being checked), was not ever challenged by the petitioner/plaintiff. Secondly, the application itself was moved at the stage of defendants' evidence, the inference being that it was moved at a very late stage.

It is seen that the impugned order is dated 18.05.2018, i.e. 2 months and 1 week ago since today. When learned counsel was asked as to the stage of proceedings before the learned Civil Judge, he has submitted

that evidence in rebuttal is to be adduced by the petitioner/plaintiff, after which the case would be put up for arguments.

He has also pointed to Annexure-P3 (which is stated to be a copy of Ex.W-1/B referred to herein above), with the date of the report being 16.07.2013, signed by the Sr. Xen, Enforcement-II, PSPCL, Bathinda.

Learned counsel for the petitioner further submits that the aforesaid report infact came not as a result of any raid conducted by the respondents but on an application made by the petitioner himself, to the effect that his meter is defective and it be checked.

A perusal of the said report shows that it has actually been stated therein that the meter reading was stuck at one particular point and the “DDL could not be done”, with the meter found to be defective.

That being so, and it being contended that the said report was actually made upon the petitioner himself making an application, further seeing the fact that the petitioner firstly filed the application before the Civil Judge at the stage of defence evidence, and thereafter filed this petition at the stage when the trial is almost concluded, I see no reason to entertain this petition.

Consequently, this petition is dismissed. However, the learned Civil Judge (Jr.Divn.), Malout, would, naturally, take into account the contents of the report as is stated to be Ex.W-1/B before that Court, and all other relevant documents, before coming to any final conclusion in the suit.

July 25, 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO