

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

CWP No.22944 of 2014 (O&M)

Date of Decision: 10.12.2018

Raj Kumar

... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Divay Sarup, Advocate,
for the petitioner.

Mr. Abhilaksh Grover, Advocate,
for the respondents.

ARUN MONGA, J.(ORAL)

1. The present writ petition has been filed for issuance of a writ in the nature of certiorari to quash the electricity bill dated 31.08.2010 (Annexure P-2) claiming that 6000 excess units have been charged to the petitioner by showing as old Units to be 43254 instead of actual reading which is claimed to be 49254. A further prayer has been made to quash the checking report dated 12.01.2012 (Annexure P-3) whereby the sanctioned load of 5.6 KW has been wrongly shown instead of the correct sanctioned load of 19.522 KW. Thus, contends the petitioner that the respondents have wrongly demanded an amount of Rs.18,560/- on account of sundry charges and the same is illegal and arbitrary etc.

2. On a query caused as to how writ petition is maintainable on the very disputed nature of facts, learned counsel states that petitioner had indeed taken recourse by filing a civil

suit to seek refund of his excess amount as prayed in the present proceedings and the civil suit was dismissed in view of the Section 145 of the Electricity Act, 2003 as Civil Court has no jurisdiction.

3. A plain reading of Section 145 of the Electricity Act, 2003 states that remedy provided in the Electricity Act is to approach the Consumer Grievance Redressal Forums/or to approach the appellate authority provided under Section 127 of the Electricity Act, 2003.

4. In this view of the matter, present writ petition is dismissed with liberty to the petitioner to approach the Consumer Grievance Redressal Forums under the Electricity Act.

5. Dismissed.

(ARUN MONGA)
JUDGE

10.12.2018

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No