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

CWP No.16765 of 2018
Date of decision:12.07.2018

Sukhdev Singh

...Petitioner

Versus

Managing Director,
Dakshin Haryana Bijli Vitran Nigam Ltd., Hisar

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. J.S.Santwal, Advocate,
for the petitioner.

Rakesh Kumar Jain, J. (Oral)

The petitioner has approached this Court for declaring the Sale Circular No.D-31/2013, whereby tube-well connections are ordered to be shifted from Urban Feeder to Rural AP Feeders within a period of six months, as illegal and also prayed for the issuance of a direction to the respondents not to shift his tube-well connection No.T-23-E-161-0073 from Railway Urban Feeder to Rural AP Feeder.

In brief, the petitioner has alleged that his father was the owner in possession of land measuring 68 Kanal 05 Marlas, comprising in Khewat No.2551, Khatauni No.3116, situated in village Ellenabad and obtained an electrical tube-well connection bearing A/c No.E-249 (Old) and A/c No.T-23-E161-0073 (New) for the purpose of irrigation of the aforesaid land. It is further alleged that with the passage of time, area of village Ellenabad was notified as Municipal Committee and after the death of his father, the aforesaid tube-well connection was transferred in the name of the petitioner and he is using the same as such for the purpose of irrigation of his fields.

The main grievance of the petitioner is that his tube-well connection is metered one and he is paying the electricity bills regularly but in case of shifting of his tube-well connection from urban feeder to rural AP feeder, there will be drastic reduction in the electricity supply as the urban feeder is getting 22 to 24 hours electricity supply, whereas the rural AP feeders are getting only 8 hours electricity supply, which would further result into damage of his crops due to non-supply of enough electricity.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that the respondents have issued the aforesaid impugned sale circular for shifting of all the tube-well connections from urban feeder to rural AP feeder and even otherwise, the petitioner has not approached the respondents at the first instance for the redressal of his grievance by giving reasons for exclusion of his tube-well connection from the purview of the aforesaid sale circular.

Consequently, the present writ petition is hereby dismissed being denuded of any merit. However, the petitioner may, if so advised, approach the respondents for the redressal of his grievance by way of making a detailed representation and in case such a representation is made by the petitioner, the respondents shall decide that representation by passing a well reasoned speaking order within a period of three months thereafter.

July 12, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No