

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.5013 of 2016
Date of decision: 22.05.2018

Baldev Goyal

...Petitioner

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr.A.K.Khungar, Advocate for the petitioner.

Mr.Ashok Kumar Sharma, Advocate for respondents No.1 and 2.

Rakesh Kumar Jain, J. (Oral)

The petitioner has challenged the order dated 30.9.2015 passed by the Permanent Lok Adalat (PUS) SAS Nagar, Mohali by which an application filed by him under Section 22 C of the Legal Services Authorities Act, 1987 (for short 'the Act') has been dismissed.

In brief, the petitioner filed the application under the Act being aggrieved against the inflated electricity bills which were allegedly not based upon the actual consumption. He had prayed that the electricity charges of the said bills be recovered on the basis of average of the year 2011-12. His prayer has been turned down by the Permanent Lok Adalat on the ground that when the petitioner had received inflated bills then why did he deposit ₹15,000/- in February 2013, ₹10,000/- on 12.8.2013 and ₹5,000/-

on 31.3.2014 and has moved the application on 27.11.2014 after a gap of 20 months. It is also the observation of the Permanent Lok Adalat that the petitioner being a practising Advocate knew the implications of law, would deposit the amount of ₹30,000/-, the inflated amount without any protest. In this regard, counsel for the petitioner has submitted that the petitioner had deposited the aforesaid amount as guided/misguided by the Sub Divisional Officer.

Be that as it may, now the prayer is made for considering his application for overhauling the amount on the basis of average consumption. It is submitted that in this regard an application has already been made to the respondents. Learned counsel appearing on behalf of the respondents has submitted that the said application shall be considered in accordance with law and shall be decided within the time as directed by this Court. Thus, in order to bury the hatchet, the present petition is hereby disposed of with a direction that the application filed by the petitioner for overhauling the amount on the basis of average consumption, be entertained by the respondents and be decided as early as possible but preferably within a period of two months from the date of receipt of certified copy of this order.

May 22, 2018
Meenu

(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned : Yes/No
Whether reportable : Yes/No