

In the High Court of Punjab and Haryana at Chandigarh

CWP No.5572 of 2017

Date of decision: July 09, 2018

XEN/O/P/ Division, DHBVN, Narwana and another

..... Petitioners

Versus

Secretary HERC and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Deepak Manchanda, Advocate for the petitioners.
Mr.J.S. Mor, Advocate for respondent No.3.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed against the order dated 01.12.2015 passed by the Forum for Redressal of Consumer Grievances, DHBVN, Hisar vide which the complaint made by respondent No.3 has been allowed and direction was issued to SDO to connect the Poultry Farm of respondent No.3 with RDS Feeder.

Learned counsel for the petitioners has submitted that respondent No.3 is to deposit requisite charges for his reconnection from RDS feeder to AP feeder. In this regard, learned counsel for the petitioners has submitted that the issue before the Forum was as to under which provision of law the tubewell connection of the petitioners from the mix feeder was shifted to AP feeder. In this regard, he has drawn attention of this Court to the findings recorded by the Forum, which are reproduced as under:

“The SDO drew the attention of the Forum on the highlighted portion which stated that shifting of tube well connection from non AP feeder to AP feeder will be reviewed by Managing Director in the subsequent Operation Review Committee meetings. This does not in any way authorize any SDO to connect any SP connection with AP feeder. The SDO was directed to produce any other documents in support of his stand but he stated that except circular No.U-26/2009 and above referred copy of minutes of ORC meeting, he does not have any other document to justify conversion of Poultry Farm connection from mix feeder to AP feeder.

The Forum is of the considered opinion that shifting of Poultry Farm connection of the consumer from the mix feeder to AP feeder without his consent and without any specific instruction of the department is not justified and the action of the SDO is highly objectionable. The Forum, therefore, finds merit in the case of the consumer and directs the respondent SDO to connect the Poultry Farm with RDS feeder. The case is flosed from the Forum.”

Learned counsel for the respondent could not challenge the validity of the aforesaid observations made by the Forum nor made any meaningful arguments. Therefore, there is no error in the impugned order which this Court may exercise its extra judicial powers under Article 226/227 of the Constitution of India for setting aside the same.

Dismissed.

(RAKESH KUMAR JAIN)

JUDGE

July 09, 2018

jt

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