

CWP No.7572 of 2018

[1]

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

**CWP No.7572 of 2018
Date of decision:27.03.2018**

Kapil Chaudhary

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Parmod Chauhan, Advocate,
for the petitioner.

Rakesh Kumar Jain, J. (Oral)

The petitioner has challenged the order dated 10.10.2017 passed by the Consumer Grievance Redressal Forum, Uttar Haryana Bijli Vitran Nigam Limited, Kurukshetra (hereinafter referred to as the "Forum") and the order dated 11.01.2018 passed by the Electricity Ombudsman, Panchkula.

The petitioner made a complaint before the Forum in respect of electricity bill dated 19.06.2017 issued for the period w.e.f. 10.05.2017 to 10.06.2017 and all the subsequent bills wherein the respondents had allegedly imposed an amount of ₹1 lac (₹75,000/- as Service Connection Charges + ₹25,000/- as ACD difference) upon the petitioner. The said complaint was dismissed by the Forum, against which the petitioner filed an appeal before the Electricity Ombudsman, Haryana. It is categorically mentioned by the Electricity Ombudsman that the case was adjourned in the presence of the petitioner on 10.01.2018 and the respondents were directed to submit para-wise reply to the appeal with an advance copy to the petitioner. It is also

categorically mentioned that copy of the reply was given to the petitioner vide e-mail dated 08.01.2018 and also through the Special Messenger at the site of the petitioner but despite the fair opportunity granted, neither the petitioner nor his representative attended the hearing of the case and, thus, the Ombudsman found that the order passed by the Forum was in accordance with law and upheld the same.

Counsel for the petitioner has submitted that the impugned order has been passed by the Ombudsman without giving an opportunity of hearing but his allegation is patently erroneous in view of the finding recorded by the Ombudsman that the case was adjourned on for 10.01.2018 on the request of the petitioner and para-wise reply to the appeal filed by the respondents was also supplied to the petitioner on 08.01.2018, both by way of e-mail and the special messenger, but the petitioner did not choose to pursue his appeal as neither he nor his representative attended the hearing. Ultimately, the Ombudsman heard the respondents and decided the lis between the parties against the petitioner upholding the impugned electricity bill much-less the order of the Forum.

Thus, in view of the aforesaid facts and circumstances, I do not find any reason to interfere in the present petition and hence, the same is hereby dismissed, though without any order as to costs.

March 27, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No