

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

RSA No.6995 of 2016 (O&M)

Date of decision : 21.08.2018

Malkiyat Singh

...Appellant

Versus

Dakshin Haryana Bijli Vitran Nigam Ltd. and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Minakshi Poswal, Advocate for
Mr. R.S. Mamli, Advocate for the appellant.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-appellant is in the Regular Second Appeal against the concurrent findings of fact arrived at by both the Courts below.

The plaintiff was found indulging in theft of electricity by the officials of the defendant-Electricity Supply Company on 29.06.2015. The premises was checked by a team of Officials. It was found that the plaintiff has by-passed the electricity meter and is taking the supply directly from the supply of line. Thereafter, the penalty was imposed and opportunity was given to the plaintiff to get the matter compounded by paying ₹20,000/- as compounding fee.

Both the Courts below after examining the evidence available on the file have found that the case set up by the Electricity Supply Company is correct. The Court further found that the opportunity was

granted to the plaintiff when the provisional assessment order was served.

Learned counsel for the appellant although made a sincere attempt, however, could not point out any error in appreciation of the evidence or perversity in the judgments. Hence, no ground to interfere.

Regular Second Appeal is dismissed.

21.08.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No