

159 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA- 4782-2017(O&M)
Date of decision : 21.11.2018

Attar Singh

..... Appellant

versus

SDO (Op) UHBVN and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms.Pratibha Yadav, Advocate for the appellant.

AMIT RAWAL, J. (ORAL)

The simpliciter suit for injunction against the electricity board restraining them not to disconnect the electricity connection on account of non payment of amount with respect to account No.K-4/389 had been dismissed by the Courts below.

Learned counsel appearing on behalf of the appellant submitted that defendant No.2-brother of the plaintiff approached the Consumer Forum against the PPCL from not charging the bill from him. In those proceedings vide decision dated 24.10.2006 liberty was granted to the board to recover the amount from the plaintiff. The aforementioned findings were at the back of the plaintiff. The Courts below have failed to advert to the aforementioned fact and dismissed the suit.

I am afraid the aforementioned argument of learned counsel for the appellant is not sustainable. In such circumstances the remedy for the plaintiff was to challenge the demand by seeking a declaration as simpliciter

suit for injunction in the absence of challenge is not maintainable. No other material has been placed on record. In such circumstances the findings of the Courts below do not bring the case within the realm of illegality and perversity so as to warrant interference by this Court.

Appeal is dismissed.

(AMIT RAWAL)
JUDGE

21.11.2018
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No