

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

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**CM-12867-C-2017 in/and
RSA-4877-2017 (O&M)
Date of Decision : 17.10.2018**

Surender Singh

..... Appellant

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. and Ors. Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mrs. Sonia G. Singh, Advocate
for the appellant.

AJAY TEWARI, J. (ORAL)

CM-12867-C-2017

For the reasons recorded, the application is allowed. Delay of 79 days in refiling the appeal is condoned.

RSA-4877-2017 (O&M)

This appeal has been filed against the concurrent judgments of the courts below dismissing a suit filed by the appellant.

The case of the appellant was that during the period in question, the electric meter was burnt three times and for those spells he could not be charged any amount of bill.

The case of the respondents on the other hand was that even if the meter was burnt, the appellant was liable to pay monthly minimum charges (MMC) as per the sanctioned load. Both the courts below having upheld this plea, the appellant is before this Court.

Counsel for the appellant has argued that once the meter was burnt and no electricity was actually supplied, there was no occasion for the respondents to have charged any amount.

In my opinion, this argument is devoid of merit. The monthly minimum charges have to be paid regardless of any electricity consumed or not.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

October 17, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No