

HIGH COURT OF CHHATTISGARH AT BILASPUR**Second Appeal No. 175 of 2008**

Chanchal Prasad, S/o Ganesh Prasad, Aged about 29 years, by caste Patwa, Occupation Flour Mill R/o Village Pratappur P.S. Pratappur, Distt. Surguja, Chhattisgarh.

--- Appellant/Plaintiff

Versus

1. Chhattisgarh State Electricity Board, Through President/Secretary Secretariat State of Chhattisgarh, Raipur, Chhattisgarh.
2. Junior Engineer Chhattisgarh State Electricity Board Pratappur Division, Pratappur P.S. and Tahsil Pratappur, Distt. Surguja, Chhattisgarh.

---- Respondents/Defendants

For Appellant/Plaintiff	:	Mr. Manoj Paranjpe and Mr. Anurag Singh, Advocates
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Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

29/08/2019

1. Heard on the question of admission and formulation of substantial question of law in this second appeal preferred by the plaintiff under Section 100 of the CPC.
2. Mr. Manoj Paranjpe and Mr. Anurag Singh, learned counsel for the plaintiff would submit that both the Courts below have concurrently erred in dismissing the civil suit filed by the plaintiff by not granting the relief prayed for and by not directing that the electric meter bearing service No. 000025 be transferred in the name of the plaintiff by recording a finding which is perverse and contrary to

record and gives rise to substantial question of law for determination in this second appeal.

3. Plaintiff filed a civil suit stating *inter alia* that the impugned electric meter bearing service No. 000025 be transferred in his name and the electricity supply be restored, which was dismissed by the trial Court and upheld by the first appellate Court against which this second appeal has been preferred by him.
4. Both the Courts below have concurrently held that the electricity connection was obtained by Bihari Lal Garg who got the electricity connection disconnected, therefore, the said electric meter cannot be transferred in the name of the plaintiff. However, plaintiff was granted the liberty to file an application for new electricity connection which will be granted in accordance with law.
5. Looking to the finding recorded by both the Courts below and considering that liberty is reserved in favour of the plaintiff to file an application for new electricity connection which will be considered in accordance with law, I do not find any merit much less any substantial question of law for determination in this second appeal.
6. The second appeal deserves to be and is accordingly dismissed *in limine* without notice to the other side. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge