

In the High Court of Punjab and Haryana at Chandigarh

244

CR No. 7673 of 2018

Date of decision: 20.11.2019

PAY PAY INSTRUMENTATION

.....petitioner

Versus

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD AND OTHERS

.....respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.S.S.Khurana, Advocate,
for the petitioner.

Mr.S.K.Mahajan, Advocate
for the respondents.

RAJ MOHAN SINGH, J.(oral)

Petitioner has challenged the order dated 17.3.2018 passed by the Civil Judge (Jr.Divn.), Rewari and order dated 13.10.2018 passed by the Additional Disdtrict Judge, Rewari, vide which application under Order 39 Rules 1 and 2 read with Section 151 CPC was concurrently dismissed.

Learned counsel for the petitioner states that though it is not a case of theft of electricity, rather under the policy of respondent-Nigam, old meters having KWH facility were replaced by new meters having KVAH facility. After installation of new meter, the same was giving wrong reading and consumption worth Rs. 8,72,289/- was shown in initial four days.

The complaint was made by the plaintiff-petitioner and the

amount was corrected from Rs.8,72,289/- to Rs. 3,041/-. In due course, an amount of Rs.2,21,862/- was shown outstanding towards payment of energy charges.

Owing to the aforesaid factual matrix as alleged by the petitioner, notice of motion was issued and subject to deposit of 50% of the amount in question, the electricity connection was ordered to be restored.

Learned counsel for the respondent states that the petitioner has already deposited 50% of the amount in question and in pursuance of interim order granted by this Court on 16.11.2018, the electricity connection has been restored.

Since arguable points are involved in this case, it would be appropriate to confirm the order dated 16.11.2018 during pendency of the suit. However, the trial Court shall proceed to decide the case at the earliest.

Petition stands disposed of accordingly.

November 20, 2019
anita

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No