

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 253

CR-2746-2019 (O&M)

Date of decision : 07.11.2019

Sardara Singh

..... Petitioner

VERSUS

Punjab State Power Corporation
Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Gurpal Kaur, Advocate, for
 Mr. N. S. Lucky, Advocate, for the petitioner.

 Mr. Arav Gupta, Advocate, for the respondents.

DEEPAK SIBAL, J. (ORAL)

The petitioner filed a suit for mandatory injunction to direct the respondents to immediately reinstall/affix electricity connection installed in his name in a shop bearing No. SCF-107, situated at Hargobind Nagar, Phagwara, Kapurthala (for short, the suit property). Permanent injunction to restrain the respondents from recovering an amount of ₹13,88,179/- from him on the basis of letter dated 04.05.2018 was also sought. Alongwith the suit, the petitioner filed an application under Order 39 Rules 1 and 2 CPC seeking therein interim relief.

The Additional Civil Judge (Senior Division), Phagwara (for short, the Trial Court) through order dated 27.08.2018 denied interim relief to the petitioner with regard to restoration of his electricity connection. However, the respondents were directed not to resort to any coercive methods to recover the demanded amount. Both parties appealed against the order of the Trial Court. Both appeals were dismissed.

It is in above circumstances that the petitioner has knocked the doors of this Court through the present petition seeking therein restoration of his electricity connection.

As per the respondents an amount of ₹13 lakhs is due towards the

petitioner. Through his afore-referred suit the petitioner has challenged such demand.

While issuing notice, this Court attempted to settle the equities between the parties and directed the petitioner to deposit 2/3rd of the disputed amount with a further direction that if such amount is deposited by the petitioner, his electricity connection be restored.

Today, learned counsel for the parties acknowledge that the petitioner has deposited 2/3rd of the demanded amount and that after such payment his electricity connection has been restored.

According to this Court the above arrangement settles the equities between both parties and accordingly, the present petition is disposed of with a direction that such interim arrangement shall continue till the final disposal of the petitioner's suit, of course, subject to the petitioner making payment of all future electricity bills for the electricity consumed by him.

07.11.2019
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No