

CWP-13331-2014

-1-

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

CWP-13331-2014

Date of Decision: July 03, 2019

ANANT OVERSEAS PVT. LTD.

... Petitioner

vs.

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. AND ANR.

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Anil Kumar, Advocate for
Mr. Harkesh Manuja, Advocate
for the petitioner.

Mr. P.S.Poonia, Advocate
for the respondents.

ARUN MONGA, J.(ORAL)

Challenge herein is to an impugned demand of a sum of Rs.85,660/-, as raised vide bill (Annexure P-10), recoverable from the petitioner on account of electricity consumption.

2. During the pendency of the writ petition, 50% of the said amount has already been deposited by the petitioner and subject thereto the disconnection of the electricity connection was stayed vide order dated 14.07.2014. Approximately, a sum of ₹45,000/- is yet to be recovered from the petitioner. Apart therefrom, certain penalties/surcharges etc. have also been imposed on the petitioner for non-payment of the electricity dues and resultantly, it is stated that a total amount of ₹1,36,610/- is payable by the petitioner.

3. During the pendency of the writ petition, the matter was

CWP-13331-2014

-2-

referred to the Lok Adalat and in the proceedings therein, the petitioner had offered to make payment of additional amount of ₹45,000/- provided no more demand is made from the petitioner by way of penalties/surcharges on account of non-payment of the original demand.

4. The Officer/Sub Divisional Engineer was present during the Lok Adalat proceedings and accepted the said offer of the petitioner subject to the same being approved by the competent authority i.e. Chief Engineer. Later on, the said offer was turned down on the ground that the competent authority did not approve the acceptance of the offer by the Sub-Divisional Engineer.

5. Without advertent to the merits of the case, learned counsel the the respondents-UHBVNL submits that owing to the pendency of the writ petition, decision on the representation dated 05.07.2014 (Annexure P-11) submitted by the petitioner has been put on hold by the respondents.

6. In the premise, the writ petition is disposed of with a direction to the respondents to pass a speaking order on the representation dated 05.07.2014 (Annexure P-11) within a period of four weeks from the date of receipt of certified copy of this order. Until the passing of the fresh orders, the payment of 50% of the impugned demand, as stayed by this Court during the pendency of the proceedings, shall be kept at abeyance. The same shall not be given effect for a period of four weeks after passing of a fresh order to enable the petitioner to seek appropriate remedy.

7. Disposed of in above terms.

July 03, 2019
smriti

(ARUN MONGA)
JUDGE

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