

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

204

CWP No.5095 of 2015 (O&M)

Date of Decision: 06.11.2019

M/s Bala Ji Associates

..... Petitioner

Versus

UT of Chandigarh Administration and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Ridhi Sachdeva, Advocate, for
Mr. Shekhar Chaudhary, Advocate
for the petitioner.

Mr. Parteek Mahajan, Advocate
for the respondents.

RAJIV NARAIN RAINA, J (ORAL)

For the simple reason that the impugned order dated 20.01.2015 passed by the Appellate Authority-cum-Sub Divisional Magistrate (East), Chandigarh under Section 127 of the Electricity Act, 2003 does not contain a shred of reason to enlighten this Court to review the order judicially, the case is remitted back for reconsideration.

All that the Appellate Authority has thought fit to say in the order is that the respondents have followed proper procedure in issuing assessment order dated 13.06.2012 and he find no infirmity in any part of the order.

The order is non-speaking, arbitrary and whimsical and a fresh exercise is required to be done in order to restore the balance of justice between the parties after effectively hearing them and recording reasons.

Accordingly, the order under challenge is quashed. The case is remanded for passing a fresh order in accordance with law and for disclosing reasons which have weighed in the mind of the Appellate Authority to reach the conclusions.

The writ petition is partly allowed.

(RAJIV NARAIN RAINA)
JUDGE

06.11.2019
D.Bansal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No