

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11535 of 2020
Date of Decision: 24.08.2020

Golden Hut Resort

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rajeev Sharma, Advocate,
for the petitioner.

Mr. R.K.S. Brar, Addl. A.G. Haryana.

Mr. Rattan Singh Longia, Advocate,
for the respondents.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

The short controversy in this petition is as to whether in this time of the COVID-19 pandemic, the respondents have correctly disconnected the electricity connection in the premises leased out by the petitioner, with the petitioner having approached this court earlier also by way of CWP no.9584 of 2020, which was withdrawn on 13.07.2020, with liberty granted to the petitioner/owner of the property, to approach the respondent Nigam with his grievance.

Learned counsel submits that thereafter the petitioner approached the

Consumer Grievances Redressal Forum of the respondent Nigam but his petition has been rejected vide the order dated July 30, 2020 (copy Annexure P-6).

Mr. Longia, learned counsel for the respondents, submits that the petitioner having been granted all waivers by the Nigam due to the COVID-19 pandemic, including on the surcharge etc., he does not deserve any further concession.

Learned counsel for the petitioner however submits that due to the current pandemic, naturally the tourism industry is one of the worst hit, leading to the petitioner not being able to pay the charges on time; but he undertakes to pay the charges in three installments, to the extent of a 1/3rd of the amount due by tomorrow, with the remaining amount to be paid in two installments, with a gap of 20 days each.

The 'offer' is considered to be absolutely reasonable to this court keeping in view the current situation, and consequently, upon the petitioner making the payment of 1/3rd of the amount due (which is stated to be Rs.8,50,936/-), within a period of one week from today, he would be permitted to deposit the remaining 2/3rd amount again in similar installments, with the 2nd installment to be paid within 20 days of the payment of the first installment and the third installment within 20 days of the payment of the second installment.

In respect of the second and third installments, the petitioner shall pay “advance cheques” to the respondents on the date that he makes the payment by demand draft of the first installment, with it made clear that immediately upon such payment being made by the petitioner (of the first installment), the electricity connection shall be restored, but if there is a default in any of the installments, the respondents would be at liberty to disconnect the electricity connection again, immediately thereafter.

The petition is disposed of in the above terms.

August 24, 2020
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.