

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(101)

CWP-17033-2020

Date of Decision: December 04, 2020

Bal Bhushan Jain and another

.. Petitioners

Versus

U.T. Chandigarh and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Jain, Advocate, for the petitioners.

Mr. Aditya Pal Singla, Addl. P.P., for U.T., Chandigarh.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed with a prayer that the respondent-Electricity Department be directed to provide a new electric connection to the premises, which is being occupied by the petitioners for domestic purpose.

During the hearing of the petition, learned counsel for the petitioners submits that the petitioners are not pressing for the prayer of installation of a new electricity meter as made in the present petition but restricts their prayer for the restoration of the electricity meter, which was already there i.e. installed in the premises being occupied by the petitioners, which meter has been disconnected on the ground that there was an arrear, which is yet to be deposited in the Electricity Department.

Learned counsel for the petitioners had proposed that the petitioners are ready to deposit the arrears of rent in respect of the said meter alongwith the penalty, if any and the respondent-Department be

directed to restore the said meter as the petitioners are facing prejudice due to non supply of electricity to the premises in their possession.

On 16.11.2020, the following order was passed:-

“Learned counsel for the petitioners submits that there is already a meter installed on the first floor of the premises which is being occupied by the petitioners but prior to the occupation of the said premises, there was an arrear of Rs.54,000/- in respect of the said meter and due to non-payment of arrears, the said electricity meter was disconnected.

Learned counsel for the petitioners further submits that the petitioners are ready to deposit the said amount of arrears though, the arrears are liable to be paid by the person who was in possession of the said premises during the period of which the charges are in arrear.

Learned counsel for the respondents submits that he may be granted some time to seek instructions as to whether, once the petitioners are ready to discharge the liability of the arrears in respect of the electricity bill for the meter installed on the first floor of the premises, the electricity connection/meter can be restored to the said premises or not.

Adjourned to 02.12.2020.”

Mr. Aditya Pal Singla, learned Additional Public Prosecutor, appearing on behalf of the respondents submits that the Department has no objection to restore the electricity meter, which was disconnected due to the non-payment of the arrears of rent, as the petitioners are agreeable to deposit the arrears alongwith the penalty.

The only condition which is being imposed by the Department for restoration of the meter is that the meter so to be reinstalled will remain in the name of the person, in whose name it stood prior to the disconnection

and further, the petitioners undertake to pay the rent without any fail after the meter is reinstalled in the premises.

Learned counsel for the petitioners states that the petitioners are agreeable to the conditions on which, the Department has agreed to reinstall the electricity meter including the clearing of the arrears alongwith the penalty as well as the petitioners will continue to pay the rent for the said meter without any fail as and when the bill is raised by the Electricity Department.

Keeping in view the above, the present writ petition is disposed of with a direction to the respondents to restore the electricity meter, which was already installed in the premises being occupied by the petitioners within a period of seven days of the deposit of the arrears alongwith the rent by the petitioners.

It is made clear that both the parties will adhere to the undertaking given and recorded hereinbefore.

(HARSIMRAN SINGH SETHI)
JUDGE

December 04, 2020
harsha

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