

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

C.R NO. 2586 OF 2020

DATE OF DECISION : 03.12.2020

Punjab State Power Corporation Limited

...Petitioner

Versus

Som Singh and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Rishabh Gupta, Advocate,
 for the petitioner.
 (Presence marked through video conference).

ARUN MONGA, J. (ORAL)

The petitioner has approached this Court under Article 227 of Constitution of India, for setting aside the order dated 17.03.2020 (Annexure P-6) passed by Civil Judge (Junior Division), Roopnagar, vide which the application of respondent No.1/petitioner for grant of temporary electric connection has been allowed.

2. One of the primary arguments addressed by learned counsel for the petitioner, amongst other, is that the impugned order (Annexure P-6), vide which respondent No.1 is to be given temporary electric connection, has been passed in complete disregard of the applicable policy/circular dated 13.04.2018 (Annexure P-7) for granting agricultural electric connections. He submits that as per the policy, electric connections are currently being granted to those people who applied up-to the year 2016 and opted to deposit expenditure of the installation of connection.

3. A perusal of the record reveals that respondent No.1 had purchased the land in question way back in the year 1986. Concededly, at the relevant time the electric connection was already installed. The said electric connection continued to be functional as long as 33 years, without any interference either by the petitioner or by respondent No.2, who had sold the

land to respondent No.1. As a bolt from the blue, one fine day, the electric connection was removed/dislodged ostensibly on the ground that respondent No.2 had sought its transfer to an alternative piece of land owned by him. Pursuant thereto, the petitioner-PSPCL accepted his request and removed the electric connection.

4. What thus emerges from the admitted position aforesaid is, that respondent No.1 had purchased the land in the year 1986. Had he known that the connection was to be later removed by respondent No.2, he would have naturally applied for his own connection. Admittedly, the electric connections for agriculture are being granted to those who had applied upto year 2016. Respondent No.1 was, therefore, entitled to apply for the connection way back in the year 1986. Reliance on the policy/circular, ibid thus flies in the face of facts in hand.

5. In the premise, no ground for interference by this Court is made out.

6. Dismissed.

DECEMBER 03, 2020
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No