

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

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IN VIRTUAL COURT

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CR No. 2670 of 2020

Date of decision : 18.12.2020

Surinder Singh

.....Petitioner

Vs.

Jasbir Singh

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. R.S. Longia, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition has been filed under Article 227 of the Constitution of India seeking for setting aside the impugned relief clause from the impugned order dated 19.11.2020 (Annexure P-6), passed by the Civil Judge (Junior Division), Ludhiana.

A bare perusal of the impugned order shows that the application filed by the respondent/plaintiff for re-connection of the electricity connection to the premises occupied by him; which had been got disconnected by the petitioner/defendant; has already been dismissed by the trial Court. Therefore, it is obvious that the petitioner/defendant cannot have any grievance against the said order to the extent that application filed by the respondent/plaintiff has been declined.

However, the counsel for the petitioner has submitted that the Court below has given liberty to the plaintiff/respondent to avail the electricity connection, being the lawful occupier of the tenanted premises, without the

interference of the present petitioner/defendant. Even a reading of this part of order would show that this liberty is given to the plaintiff to avail the electricity connection without interference of the petitioner/defendant. Therefore, even qua this aspect the petitioner/defendant cannot have any grievance. However, the counsel for the petitioner has submitted that the Electricity Department is interpreting the order passed by the trial Court to mean that the electricity connection, which was earlier in the name of the petitioner/defendant is to be restored by the authorities. However, even this apprehension is totally misconceived. The application qua restoration of the connection which was in the name of the petitioner/defendant has specifically been declined by the trial Court. Hence, there is no question of the electricity department restoring the said connection in the name of the petitioner/ defendant in the garb of this order. The trial Court has only granted liberty to the plaintiff/respondent to avail a connection, which obviously, would not be in the name of the petitioner/defendant and would be obtained without interference/ assistance of the petitioner/defendant, if the department can so grant the connection to the plaintiff/respondent.

In view of the above, the present petition is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

18.12.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No