

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

101 - CWP-1028-2021 (O&M)

Date of Decision: 15.01.2021

M/s Bajrangi Stone Crusher

... Petitioner

VS.

Uttri Haryana Bijli Vitran Nigam (UHBVN) & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. M.D. Khan, Advocate for the petitioner.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

The petitioner M/s Bajrangi Stone Crusher has filed the present writ petition *inter alia* with a prayer seeking a direction for issuance of a writ in the nature of mandamus directing the respondents No. 1 to 4 to consider the case of the petitioner on the basis of representation dated 31.08.2020 and 03.11.2020 (P1) and (P2) vide which the petitioner sought to correct the electricity bill of said Crusher according to KWH unit and to re-connect the electricity meter.

Learned counsel for the petitioner based upon the pleadings in the petition and by making reference to the writ petition submits that the petitioner is running a crusher unit for which he was having electricity connection. It is submitted that due to rainy season and COVID-19 situation, the work of the petitioner was lying closed and has not used the electricity during those days i.e. after 15.06.2020. The grievance of the petitioner that in spite of this, the electricity authorities under the Nigam have sent electricity bill. Petitioner had submitted a representation dated 31.08.2020 in this regard.

Another representation was submitted on 03.11.2020 but no action has been taken.

Learned counsel at this stage, further submits that the petitioner was constrained to file civil suit by making reference to para 7 of the petition. Learned counsel submits that the said case could not be taken up promptly and the stay application seeking interim directions has not been decided till date.

Learned counsel makes an oral prayer to treat the present writ petition as petition under Article 227 of the Constitution of India to direct the Civil Court to decide the stay application at the earliest. He submits that before the Civil Court, the hearing is fixed for today.

Oral prayer of the petitioner is accepted.

This Court, in view of above peculiar circumstances, deems it appropriate to direct the Court of Additional Civil Judge(SD), Bilaspur, District Yamuna Nagar to decide the interim application in the suit filed by the petitioner as expeditiously as possible preferably within two months from the date of the receipt of the certified copy of the order.

Disposed of.

15.01.2021

Shruti

vishal shonkar

1. Whether speaking/reasoned?

2. Whether reportable?

**(Girish Agnihotri)
Judge**

Yes/No

Yes/No