

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

RSA-101-2021(O&M)

Date of decision:05.03.2021

**Uttar Haryana Bijli Vitran Nigam Limited and another
.....Appellants**

Versus

Jyoti Sharma

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Rahul Dev Singh, Advocate for the appellants

ANIL KSHETARPAL, J.

The defendant-appellant has filed the Regular Second Appeal against the concurrent finding of fact arrived at by the Courts below, while decreeing the suit filed by the plaintiff-respondent challenging the order of assessment to the extent of Rs.1,23,119/- passed by the appellant on account of the alleged theft of electricity. It has come on record that the plaintiff herself had on 14.06.2016 informed the officials of the Electricity Board that the electricity meter installed at her residence has been burnt with a request for its replacement. The officials did not take any action for a period of 8 months. The official of the Electricity Board while appearing in evidence has admitted that he did receive the application from the plaintiff.

Still further, both the courts have relied upon a sale circular laying down that if the meter is found burnt, the consumer will continue to be billed on average basis but no case for theft will be registered. In this case, both the Courts have held that the officials of the Electricity

Board did not take steps for quite some time.

In view of the aforesaid facts, no ground to interfere is made out.

Hence, dismissed.

05.03.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE