

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-3443-2021(O&M)
Date of Order:15.02.2021

DEVENDER

..Petitioner

Versus

UTTAR HARYANA BIJLI VITRAN NIGAM LTD.
AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yogesh Arora, Advocate,
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Admittedly, pursuant to registration of an FIR No.1904 dated 29.06.2020, under Section 151 of the Electricity Act, 2003, the case is to be tried by the Special Court constituted under Section 154 of the Electricity Act, 2003.

Sub-section 5 thereof mandates the Special Court to determine the civil liability in terms of money which is required to be recovered from a consumer or a person for the theft of an energy.

In the present case, the respondents found that although, the electricity connection had been disconnected and the permanent disconnection certificate was issued, still the petitioner was allegedly found using electricity directly.

As noticed above, the FIR has already been registered. In view thereof, the petitioner has an effective alternative remedy available in the Act.

Hence, no ground to issue the writ as prayed for is made out.

Dismissed.

February 15, 2021
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No