

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

**CWP No.7787 of 2021
Date of Decision:08.07.2021**

Kishan Chand

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: - Mr.Sameer Sachdeva, Advocate,
for the petitioner.

Mr.Ashish Yadav, Addl. A.G., Haryana,
for respondent No.1.

Mr.Baldev Raj Mahajan, Sr. Advocate, with
Ms.Monica Chawla, Advocate,
for respondents No.2 & 3.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL. J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

It is submitted that the petitioner is a sole proprietor of the firm engaged in stone crushing. It is further submitted that electricity bills were being paid regularly by the petitioner since the year 1996. Due to outbreak of the pandemic and consequent lockdown which was ordered in March 2020, petitioner defaulted in payment of electricity bills. Last dues were paid by the

petitioner in the month of February 2020. As the petitioner could not deposit the dues thereafter, his electricity connection was cancelled on 10.10.2020.

Present writ petition has been filed seeking a direction to the respondents to restore the electricity connection, with the petitioner undertaking to deposit the entire outstanding amount in a time bound manner. While issuing notice of motion in this writ petition, undertaking of the petitioner was recorded to the extent that a sum of Rs.5 lakh would be deposited by the petitioner immediately with the respondent-department for restoration of electricity connection and balance outstanding amount may be permitted to be deposited in installments. Thereafter, an objection had been raised on 19.4.2021 by the respondent/departments that restoration of electricity connection is not permissible as per the relevant Rules because after a lapse of six months from the date of default in payment, electricity connection stands permanently disconnected and consumer has to apply afresh for electricity connection.

Today, Mr.Baldev Raj Mahajan, learned Senior counsel representing respondents No.2 & 3 fairly states that keeping in view the peculiar and unprecedented situation created due to the outbreak of pandemic, COVID-19, in case, the petitioner deposits a sum of Rs.5 lakh immediately, his electricity connection shall be restored. Thereafter, the petitioner should pay the outstanding amount in three equated monthly installments. Total amount due from the petitioner is Rs.11,13,411/-.

Keeping in view the facts and circumstances as well as the fair stand taken by the respondents/departments, it is directed that in case a sum of Rs.5 lakh is deposited by the petitioner within one week from today,

electricity connection be restored immediately thereafter. Rest of the total amount due shall be paid in four equated monthly installments thereafter. Needless to say, the petitioner shall regularly pay the consumption charges, which may be raised by the department and any default thereof would be to the detriment of the petitioner.

Petition is accordingly disposed of.

(LISA GILL)
JUDGE

08.07.2021

Vivek

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**