

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

-.-

**CWP No.11556 of 2021 (O&M)
Date of decision : 02.07.2021**

Iqbal Kaur

... Petitioner(s)

Versus

**Punjab State Power Corporation
Ltd. and Another**

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Mohit Garg, Advocate for the petitioner.

Mr. Nikhil Chopra, Addl. AG Punjab.

ALKA SARIN, J. (ORAL)

Taken up through video conferencing.

Learned counsel for the petitioner has contended that the statutory appeal dated 23.03.2021 (Annexure P-4) filed by the petitioner is pending against the order of recovery and the same has not been dealt with and at the same time recovery has been initiated and an amount of Rs.3,55.033/- was directed to be recovered from the petitioner.

Learned counsel would further submit that the appeal dated 23.03.2021 (Annexure P-4) preferred by the petitioner would amount to resorting to a statutory remedy available to the petitioner.

Heard the learned counsel for the petitioner and perused the record.

The Appellate Authority - respondent No.2 - is bound to take a final decision on the appeal dated 23.03.2021 (Annexure P-4) within a stipulated time frame. The pendency of the appeal on the one hand and the enforcing of the order of penalty of recovery on the other would certainly cause prejudice to the rights of the petitioner.

Without commenting on the merits of the case, the present petition is disposed off with a direction to respondent No.2 - Appellate Authority i.e. Chief Engineer/Distribution South Zone, Punjab State Power Corporation Limited - to take a final decision, in accordance with law, on the appeal dated 23.03.2021 (Annexure P-4) expeditiously and in any case within a period of three months from the date of receipt of certified copy of this order.

Recovery in pursuance to the order dated 05.03.2021 (Annexure P-3) passed by Deputy Chief Engineer, Division Circle, Sangrur shall be kept in abeyance and would be subject to the final order to be passed by the Appellate Authority.

Disposed off accordingly.

July 02, 2021
tripti

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO