

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

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**RSA No.1388 of 2021(O&M)
Date of Decision: 24.11.2021.**

**DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD.
AND ANR**

...APPELLANTS

Versus

SANDEEP

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K. Mahajan, Advocate
for the appellants.

ANIL KSHETARPAL J. (ORAL)

It is unfortunate that the appellant which is a Public Sector Undertaking has decided to file the present Regular Second Appeal. The total amount involved is Rs.30,000/- which includes the amount of penalty as well as the compounding charges.

Both the courts after examining the evidence have concurrently found that while conducting search, the officials of the appellant-Board did not follow the procedure as prescribed under Section 126 of the Electricity Act 2003. Even, no opportunity of hearing was given to the plaintiff before issuing the impugned assessment order. The officials of the appellant-Board did not even follow the instructions issued by the Board as no videography of the alleged search was carried out.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Dismissed.

**(ANIL KSHETARPAL)
JUDGE**

November 24, 2021

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whether speaking/reasoned

Yes/No

whether reportable

Yes/No