

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-16899-2021

Date of Decision: 01.09.2021

ANKUSH ANAND

..... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Munish Gulati, Advocate
for the petitioner.

Mr. Abhay Pal Singh Gill, Asst. AG., Punjab.

Mr. Sahil Sharma, Advocate
for PSPCL.

LISA GILL, J.

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

Petitioner had earlier filed CWP-15398-2021, which was dismissed as withdrawn on 12.08.2021 with liberty to the petitioner to avail the remedy/remedies as are available to him at the first instance.

Present writ petition has been filed on 25.08.2021 with the averments that petitioner has filed a petition on 24.08.2021 before the Punjab State Electricity Regulatory Authority/Commission, Chandigarh (for short PSERC) and the matter is now tentatively fixed for October/November, 2021 and no hearing is being afforded to the petitioner.

Mr. Sahil Sharma, Advocate, learned counsel representing the respondents-PSPCL was asked by the Court to find out the position regarding pendency of petition filed by petitioner. Mr. Sharma informs that petition before PSERC, Chandigarh is not maintainable and in fact, petitioner's remedy lies under Section 42(5) of the Electricity Act, 2003.

Learned counsel for the petitioner again seeks to withdraw this writ petition with liberty to the petitioner to avail the remedy as is available to him.

In the interest of justice, writ petition is dismissed as withdrawn with liberty as aforementioned.

01.09.2021

Sunil

(LISA GILL)
JUDGE

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