

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

LPA-775-2021

Date of decision : 10.09.2021

Sonia

....Appellant

V/s

Haryana Electricity Regulatory Commission

....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present : Mr. Sanjay Kaushal, Sr. Advocate with
Mr. Ishan Bhardwaj, Advocate for the appellant.

Mr. Sanjeev Kaushik, Advocate with
Mr. Rohit Kaushik, Advocate for the caveator-respondent.

RAJAN GUPTA J. (ORAL)

Case has been taken up on Video Conferencing in view of
COVID-19 Pandemic.

Appellant has challenged the order dated 26.08.2021 passed by
learned Single Judge. According to learned counsel for the appellant in the
impugned judgment, learned Single Judge has not considered that the show-cause-
notice is a mere eye-wash/formality as it appears that show-cause-notice has been
issued with a pre-conceived notion. According to him, filing reply would be an
exercise in futility.

Notice of motion.

Mr. Sanjeev Kaushik, Advocate accepts notice on behalf of the
caveator-respondent. He has assured the court that in case appellant files reply to
the show-cause-notice, the concerned authority shall pass order on merits taking
into consideration facts and circumstances of the case as well as the law. All the

pleas of the appellant raised herein shall be considered and dealt with. The authority shall not be swayed by the observations made in the show-cause-notice and it shall not act in a pre-conceived manner.

In view of above, we dispose off this Letters Patent Appeal with liberty to the appellant to submit his reply to the show-cause-notice which shall be considered by the competent authority in light of above.

At this stage, Mr. Kaushal, learned senior counsel for the appellant has prayed that two weeks' time may be granted to him to submit the reply. In the interests of justice, we accept this prayer and grant him time as prayed for.

(RAJAN GUPTA)
JUDGE

(KARAMJIT SINGH)
JUDGE

September 13, 2021

Ajay

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No