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

CWP No. 22390 of 2021

Date of Decision: 03.11.2021

Dakshin Haryana Bijli Vitran Nigam Limited and another

-Petitioners

Versus

Geeta Vidya Mandir High School and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R.S. Longia, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

At the very outset, learned counsel submits that the impugned award dated 25.03.2021 has been implemented by the petitioners with regard to incorporation of bill.

Evidently sanctioned load was 3.000 KW at the time of installation of electric connection meter in the premises of respondent No.1. Thereafter, respondent No.1 applied for increase of the sanctioned load from 3.000 KW to 8.000 KW. The requisite amount to the tune of Rs.18,678/- was also deposited on 25.11.2016.

Office of the petitioner also visited the premises of respondent No.1 and also sent three phase electricity meter through its employee, but the same was not installed and was not connected with three phase wires.

Owing to inaction on behalf of the petitioner, respondent No.1 had to purchase a generator set for meeting out requirement of the school. New meter was kept in the office of the school. Petitioner started sending bills with increased load of 8.000 KW without there being actual connection with three phase wires. Petitioner showed the old meter connection as closed and kept on saying the connection is closed and issued the bill of Rs.1,09,000/- in the month of December, 2018. Old meter was in running condition and was not closed. Permanent Lok Adalat found as a matter of fact that complaint register Ex.P3 reflects that a complaint was made that new meter of 8.000 KW was sent to the premises of the School in February, 2017 but the same was not accepted. As per endorsement dated 24.07.2018 made in the complaint register, the complaint was shown as attended complaint. It has been established that new connection was not installed in the premises of respondent No.1. Old meter was found in working condition and running as per endorsement made by line man. New meter was installed only on 18.09.2019 i.e. the date on which old meter was found

in a running condition. As per Ex.P18, old meter was removed on 18.09.2019 and the same was in working condition. Bills Ex.P21 to Ex.P26 were prepared on average basis and the same were not correct as per actual consumption of units. The actual consumption was not calculated.

As per the stand taken by the petitioner, the average billing was done due to application of wrong meter code. After assessing the material on record, Permanent Lok Adalat ultimately accepted the claim of respondent No.1, thereby directing the petitioners to raise fresh billing of the old meter upto 18.09.2019 on the basis of actual consumption and also to prepare billing of new meter on the basis of monthly consumption w.e.f. 18.09.2019 after adjusting the deposits made by the petitioner. The cost(s) of Rs.5500/- towards litigation charges has also been imposed.

To the extent of first direction, the petitioner has implemented the award. According to statement made by learned counsel for the petitioner, the amount towards cost(s) has not been deposited so far.

In view of aforesaid facts and circumstances of the case, there is no ground to interfere in the present writ petition. The amount of cost(s) is ordered to be adjusted in the bill of respondent No.1.

Dismissed.

03.11.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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