

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

115

**Civil Revision No.305-2022 (O&M)
Date of decision:10.02.2022**

M/S MOHIT STONE CRUSHER

...Petitioner

Versus

**UTTAR HARYANA BIJLI VITRAN NIGAM LTD.
AND ORS**

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S.Mamli, Advocate, for the petitioner.

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner is the plaintiff in a suit for passing a decree of declaration to the effect that the demand of Rs.6,28,031/- issued by the defendants-Electricity Supply Company is illegal, null and void.

The trial court dismissed the suit, whereas in appeal, the first Appellate court has granted protection from recovery of Rs. 16,53,004/- as the original amount of Rs.6,28,031/- has now become Rs.16,53,004/-. However, the first appellate Court has refused to pass an order of protection with respect to the remaining amount because now the plaintiff has been served with a bill of Rs.66,47,556/-.

The learned counsel representing the petitioner does not dispute this fact, however, contends that the electricity of the petitioner has already been disconnected and therefore, subsequent bill is also illegal.

In the considered view of the Court, the first Appellate Court was correct in observing that the dispute regarding the remaining amount of the bill is beyond the scope of the suit.

Hence, no ground to interfere in the impugned orders is made out.

Dismissed.

At this stage, the learned counsel representing the petitioner prays for permission to withdraw the present revision petition.

Ordered accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

February 10, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No