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

CWP No. 13442 of 2022
Date of Decision: 04.07.2022

Adish Jain

-Petitioner

Versus

Punjab State Power Corporation Limited and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Jain, Advocate, and
Mr. Sachin Jain, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus directing respondents No.2 and 3 to restore the electric connection no.3002489457 installed in the name of the petitioner at his premises.

Mr. Radhey Shyam Sharma, Advocate appears on behalf of the respondents on the basis of advance notice.

It appears that there is an FIR No.190 of 2022 lodged under Section 135 of the Electricity Act against the petitioner. Petitioner has also filed a civil suit for declaration against the demand of Rs.28,94,336/- (alleged consumption charges) and

Rs.9,79,400/- as compounding charges as contained in the demand notice dated 21.03.2022 being illegal. The aforesaid civil suit was accompanied by an application under Order 39 Rules 1 and 2 CPC. The application has not been decided so far, despite numerous adjournments on 16.04.2022, 25.04.2022, 10.05.2022, 13.05.2022 and 31.05.2022. The representation filed by the petitioner before respondents No.2 and 3 for restoration of electric connection is also pending before respondents No.2 and 3.

Evidently, for the prayer in question, the application under Order 39 Rules 1 and 2 CPC is pending before the trial Court.

Learned counsel for the petitioner submits that now the aforesaid application is fixed for 07.07.2022.

In view of aforesaid position, it would be just and appropriate to direct the trial Court to take up the pending application either on the date fixed or soon thereafter, preferably within a period of one week after due notice to the respondents and decide the same in accordance with law.

Disposed of.

04.07.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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