

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

243

**CWP-15066-2020
Date of Decision: 24.11.2022**

GIAN SINGH

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Balraj Gujjar, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Mr. Rishabh Gupta, Advocate
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Certiorari for quashing of the impugned letter 1667 dated 05.07.2019 (Annexure P-6), letter No.2225 dated 22.08.2019 (Annexure P-8) both issued by respondent No.4, and letter dated Nil (Annexure P-13) issued by one Gurupreet Singh, Junior Engineer at the behest of respondent No.4 declaring his A.P. (Agricultural Pumpset) connection as PDCO and further disconnecting the connection of the petitioner.

Vide order dated 30.09.2020, this Court had passed an interim order directing the restoration of the electricity connection within one week.

Learned counsel for the petitioner submits that the needful has already been done.

It has been pointed out by the counsel for the respondents-PSPCL that disputed questions of facts arise in the present petition. It is submitted that the petitioner has taken contradictory stand. At the first instance, it was averred by him that he wanted to exchange the property with Bhagwant Singh and Baljit Singh sons of Darshan Singh, whereas later on the land in question was exchanged with one Kulwant Kaur. The necessary documents in relation to reconnection or restoration of the connection permanently had not been furnished by the petitioner. The petitioner submitted the documents for installation of the electricity connection, however, he got the same installed on the land of some other person.

The aforesaid allegations levelled by the respondents are controverted by the petitioner.

Disputed questions of facts arise for determination in the present petition. The Electricity Act, 2003 and the Regulations of 2016 notified by the Punjab State Electricity Regulatory Commission specifically contemplate examination of such disputes by the Consumer Grievances Redressal Forum appointed in terms of Section 42 of the Electricity Act, 2003.

In view of the above, learned counsel for the petitioner seeks withdrawal of the present petition with liberty to approach Consumer Grievances Redressal Forum by means of filing an appropriate petition within a period of four weeks from the date of receipt of certified copy of this order.

Upon the petitioner appearing before the Consumer Grievances Redressal Forum within the time frame as above, the decision on the petition of the petitioner shall be taken expeditiously and in a time bound manner. The protection of the interim order dated 30.09.2020 shall inure for the period of four weeks as undertaken above so as to enable the petitioner to secure an

appropriate order from the Consumer Grievances Redressal Forum in accordance with law.

The petition stands disposed of accordingly.

24.11.2022
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(VINOD S. BHARDWAJ)
JUDGE

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