

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

232

**CWP-19462-2017**

**Date of decision: 15.09.2022**

DAKSHIN HARYANA BIJLI VITRAN NIGAM LIMITED AND  
ORS.

.....Petitioners

VERSUS

PERMANENT LOK ADALAT AND ANR.

.....Respondents

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

\*\*\*\*\*

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

Mr. Kuldeep Sheoran, Advocate  
for respondent No.2

\*\*\*\*\*

**VINOD S. BHARDWAJ, J. (Oral)**

The present petition had been filed for issuance of writ in the nature of Certiorari/Mandamus raising a challenge to the award dated 24.04.2017 passed by the Permanent Lok Adalat (Public Utility Service), Bhiwani on a application preferred by respondent No.2 under Section 22 (C) of the Legal Services Authorities, Act, 1987.

2. Briefly, the case of the respondent No.2-applicant is that he is an agriculturist by profession and for the better irrigation of his land, he had applied for release of tubewell connection under AP category in the office of petitioner No.3 vide application dated 03.06.2005 and deposited the security for releasing tubewell connection to the tune of Rs. 800/- + Rs. 240 = 1,040/- vide receipt No.37/38-002819. It is further alleged that he installed bore by boring machine and electric wire, pipe line, cable and submersible electric motor were also

purchased but the petitioner did not release the tubewell connection within the prescribed period given in the electric manual. It is also worth to mention here that the respondent No.2-applicant is senior-most person in the list of waiting of tubewell connections in the office of petitioner No.3 but petitioner issued electric tubewell connection to junior persons. Respondent No.2-applicant visited many time in the office of petitioner No.3 with request to release the electric tubewell connection, but the authorities did not pay any heed on the request. Respondent No.2-applicant visited in Bijali Lok Adalat held by the petitioners and requested the petitioners in Khulla Darbar for releasing electric tubewell connection but petitioners did not accede to the request. It is also alleged that there is great deficiency in service on the part of the petitioners, causing pecuniary loss to the respondent No.2-applicant and applicant also suffered mental agony, harassment and humiliation on the part of the petitioners. Hence, the application was filed under Section 22 (C) of Legal Services Authorities, Act, 1987.

3. The claim of the respondent No.2 –applicant was contested by the petitioner herein on the premise that the area in question has been notified by the Area Committee as a dark zone and that no tubewell connections in the said block are being released.

4. However, upon consideration of the respectable contentions advanced by the parties, the Permanent Lok Adalat (Public Utility Service) directed as under:-

*“24. Resultantly in view of the discussion above made and for the foregoing reasons, the application deserves acceptance and the same is hereby accepted with*

*costs and an award executable under Section 22-E of the Act is passed in favour of the applicant and against the respondents as under:-*

*i. The respondents are directed to release the electricity connection to the petitioner in furtherance of the security deposit amount on 03.06.2005 under the self execution scheme, whereunder the connections have been released to junior persons.*

*To pay Rs. 5,500/- as litigation charges.*

5. Learned counsel appearing on behalf of the petitioner has submitted at the very outset that the petitioner was inhibited from release of the electricity connection on account of the area being notified as a dark zone and that the said notification already stands withdrawn and as such there is no obstruction against release of the connection in favour of the respondent No.2-applicant, subject to respondent No.2-applicant complying with the terms and conditions for the release of the Electricity connection.

6. Learned counsel appearing on behalf of the respondent No. 2 has no objection to the aforesaid order.

7. Consequently, the present petition is disposed of with a direction that the petitioners shall release the connection under the applicable scheme, subject to the respondent No.2 satisfying the conditions prescribed therein within a period of 45 days.

**(VINOD S. BHARDWAJ)**  
**JUDGE**

**SEPTEMBER 15, 2022**

*Vishal sharma*

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