

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

**CWP-4937-2017 (O&M)
Date of decision: 12.07.2022**

M/s Shiva Electronics

... Petitioner

Versus

Punjab State Power Corporation Limited and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Kanwaljit Singh, Senior Advocate, with
Mr. Namit Gautam, Advocate, for the petitioner.

Mr. Parminder Singh, Advocate, for respondents No.1 & 2.

Mr. Karan Pathak, Advocate, and
Ms. Rubina Virmani, Advocate, for respondent No.4.

RAVI SHANKER JHA, C.J. (Oral)

Learned senior counsel appearing for the petitioner fairly submits that the issue raised by the petitioner regarding the validity of the provisions of Regulation 3.18(iii) of Punjab State Electricity Regulatory Commission (PSERC) (Forum and Ombudsman) Regulation, 2016, requiring pre-deposit before filing an appeal is squarely covered by the decisions of the Supreme Court in **M/s Tecnimont Pvt. Ltd (Formerly known as Tecnimont ICB Private Limited) v. State of Punjab and others**, 2019 SCC Online SC 1228 and **The Director, Employees State Insurance Health Care & Ors. v. Maruti Suzuki India Limited & Ors.** (Civil Appeal No.3464 of 2022), as well as the Division Bench's decision of this Court rendered in **M/s Lotus Realtech Pvt. Ltd. v. State of Haryana and others**, 2021 AIR (P&H) 25. He prays for permission to withdraw the

petition with liberty to make the necessary pre-deposit before the Regulatory Commission within a period of two months.

Prayer is allowed.

The petition is dismissed as withdrawn with the aforesaid liberty.

(Ravi Shanker Jha)
Chief Justice

(Arun Palli)
Judge

12.07.2022
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO