

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

257

RFA-4441-2018(O&M)  
Date of Order: 17.05.2022

HORAM

..Appellant

Versus

DAKSHIN HARYANA BIJLI VITRAN NIGAM AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the appellant.

Mr. R.S. Longia, Advocate  
for respondents.

**ANIL KSHETARPAL, J(Oral)**

The learned counsel representing the appellant is not present. This appeal has been preferred against the judgment of the Special Judge appointed under the Electricity Act, 2003. The appellant had filed the petition under Section 153 and 154 read with Section 135 of the Electricity Act, 2003, to decide the validity of order of assessment and notice proposing to compound the offence. This Court while deciding two **Regular First Appeals bearing case No.RFA-445-2021, titled as “Punjab State Power Corporation Limited and another Vs. Kulwinder Singh” and RFA-2330-2021, titled as “Dakshin Haryana Bijli Vitran Nigam and another Vs. Vidyawati”**, on 21.12.2021, has held that such petition before the Special Court under Section 153 and 154 read with Section 135 of the Electricity Act, 2003, is not maintainable.

Hence, the present appeal is dismissed with liberty to the appellant to avail the appropriate remedy.

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

May 17<sup>th</sup>, 2022

(ANIL KSHETARPAL)  
JUDGE

Ay

*Whether speaking/reasoned*

:

*Yes/No*

*Whether reportable*

:

*Yes/No*