

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

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CWP-26921-2022

Date of decision: 23.11.2022

ATC TELECOM INFRASTRUCTURE PRIVATE LIMITED

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Arav Gupta, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari for raising a challenge to the impugned bill dated 29.10.2018, revised bill dated 17.09.2021 and the impugned letter dated 04.05.2022 whereby the respondent No.4 is stated to have claimed an outstanding liability of Rs. 18,67,042/-.

Learned counsel appearing on behalf of the petitioner could not controvert the fact that the dispute in question is a billing dispute for which a statutory remedy in the form of Consumer Grievances Redressal Forum under Section 42 of the Electricity Act, 2003 is duly prescribed. He however contends that the disconnection of the electricity connection has been done without affording any opportunity of hearing and that the petitioner is ready and willing to deposit the amount under protest and without prejudice to his rights and

that the re-connection ought to be done in the event of the petitioner depositing the aforesaid amount under protest.

As the alternative efficacious remedy under the statue and the regulations framed thereunder is already in place, he submits that he is willing to withdraw the present petition with liberty to take recourse to the alternative remedy available to him in accordance with law and that the Consumer Grievance Redressal Forum may be directed to expeditiously adjudicate upon the grievance of the petitioner lest the losses accrued to the petitioner are escalated.

The present petition is accordingly disposed of as withdrawn with liberty to the petitioner to approach the Consumer Grievance Redressal Forum under the Act and the Regulations framed thereunder against the present cause of action.

Needless to mention that in the event of the petitioner approaching the Consumer Grievance Redressal Forum, an expeditious decision shall be taken thereupon after affording opportunity of hearing to the respective parties and the final order shall be passed preferably within a period of 06 weeks of receipt of certified copy of this order. The decision as regards restoration of the electricity connection shall also be taken by the CGRF.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 23, 2022

Vishal sharma

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