

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

124

CWP-30203-2022

Date of decision: 23.12.2022

KAMALJEET KAUR

.....Petitioner

VERSUS

**PUNJAB STATE POWER STATE CORPORATION LIMITED AND
OTHERS**

.....Respondents

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

Present:- Mr. Vishal Sharma, Advocate
for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondent No.2 to entertain the appeal on merits without insisting upon pre-deposit of the 50% of the assessed amount as per the regulations.

Learned counsel appearing on behalf of the petitioner contends that the petitioner had earlier filed Civil Writ Petition No. 26725 of 2022 which was disposed of on 22.11.2022 to enable the petitioner to take recourse to the alternative remedy available to him in accordance with law.

Accordingly, the petitioner preferred an appeal before the Consumer Grievances Forum before the respondent No.2 i.e. the Appellate Authority on 29.11.2022. However, the pre-deposit was not made in terms of the applicable regulations. Resultantly, the

respondents has refused to entertain the appeal for want of the pre-deposit.

Counsel for the petitioner contends that he would not press the present petition at this stage for waiving of the requirement of pre-deposit and submits that he may be granted 02 weeks time to make a pre-deposit and upon such pre-deposit being made, the respondentNo.2-Appellate Authority be directed to decide the appeal filed by the petitioner on merits.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents and has no objection to the above said prayer.

Accordingly, the present petition is disposed of with a direction to respondent No.2 to decide the appeal on merit in the event of the petitioner making good the pre-deposit as per the regulations within a period of 02 weeks from today.

The electricity supply of the petitioner be not disconnected for the said period i.e 02 weeks from today so as to enable the petitioner to seek revival of his appeal before the Appellate Authority.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 23, 2022

Vishal sharma

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