

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

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**CWP-25394-2018 (O&M).
Date of Decision: 05.09.2022.**

V.C. Agro Farms

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Rohit Kataria, Advocate and
Mr. Manu K. Bhandari, Advocate for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Sh. Vikas Chatrath, Advocate,
For respondent Nos.2 and 3.

VINOD S. BHARDWAJ. J.

The present writ petition has been filed under Article 226 of the Constitution of India, seeking issuance of a writ in the nature of certiorari for quashing the commercial circular No.7/2018 dated 13.02.2018 (Annexure P-7)) by which the respondent authorities have withdrawn commercial circular No.6/2016 dated 09.02.2016 (Annexure P-3 and commercial circular No.29/2016 dated 03.08.2016 (Annexure P-5) whereby the benefit of AP Metered Tariff had been extended to the petitioner.

It was specifically noticed at the stage of issuing notice of motion that similar controversy was pending adjudication before this Court in the matter of **“M/s Chetan Agro Foods Vs. State of Punjab others,” bearing CWP No.14198 of 2018, decided on 16.09.2019.**

Learned counsel appearing on behalf of the petitioner contends that the aforesaid case has already been decided by this Court vide judgment dated 16.09.2019 whereby the impugned commercial circular No.7/2018 dated 13.02.2018 (AnnexureP-7) was set aside by this Court to the extent whereby the petitioners had been called upon to pay the difference in the tariff with effect from 09.02.2016 to 18.04.2017 and petitioners were held liable to make payment of electricity under AP Meter Tariff w.e.f. 09.02.2016 when circular was issued till 18.04.2017. The petitioners were further held liable to pay the electricity bill as per Industrial/Commercial Tariff w.e.f. 19.04.2017.

Learned counsel appearing on behalf of the PSPCL could not dispute that the issue involved in the present case has been decided by the aforesaid batch of writ petitions. Further, he is not in a situation to controvert the fact that the said order has not been challenged and has attained finality.

In view of above, the present writ petition is disposed off in terms of order dated 16.09.2019 passed in a batch of writ petitions i.e. **“M/s Chetan Agro Foods Vs. State of Punjab others,” bearing CWP No.14198 of 2018.**

Petition is disposed off accordingly.

September 05, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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