

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CWP-6212-2023

Date of decision: 24.03.2023

M/S MICRO TURNER

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

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

VINOD S. BHARDWAJ, J. (Oral)

The present petition raises a challenged to the order dated 13.09.2022 and 01.02.2023 attached as Annexure P-17 and P-18 respectively passed by the Haryana Electricity Regulatory Commission in case No. HERC/Petition No. 27 of 2022 under Section 86 1 (k) read with Section 86 (3) of the Electricity Act, 2003.

Learned counsel appearing on behalf of the petitioner fairly concedes that the order passed by the HERC is appealable under Section 111 of the Electricity Act, 2003 before the Appellate Tribunal for Electricity. He further concedes that this Court has already held in the matter of “*M/s A.K. Automobiles Private Limited versus State of Haryana and others*” bearing CWP-9063-2020 that where statutory remedy is prescribed, a litigant must ordinarily approach the Court just through the procedure prescribed in the Statute and exhaust his remedies available/prescribed thereunder. Merely because existence of alternative remedy is not a bar to the institution of the writ petition does

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not ipso facto mean that the alternative remedy is to be bye-passed on each and every occasion.

In view of the aforesaid, counsel for the petitioner does not press the instant petition at this stage so as to take recourse to the alternative remedies provided to him as per law.

Disposed of as not pressed with liberty as aforesaid.

A copy of this order be given to learned counsel for the petitioner under the signatures of Bench Secretary of this Court.

(VINOD S. BHARDWAJ)
JUDGE

MARCH 24, 2023

Vishal sharma

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