

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

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CRR-1411-2022

Date of Decision: 18.01.2023

Ravi Thakran and Others**...Petitioner****Versus****Sarita Thakran****...Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Neeraj Saini, Advocate for

Mr. Shilak Ram Hooda, Advocate for the petitioners

JAGMOHAN BANSAL, J. (Oral)

The petitioners through instant petition are seeking setting aside of order dated 07.06.2022 whereby Additional Sessions Judge, Gurugram has directed the petitioner to deposit arrears of electricity bills regarding the electricity connection which is installed in the shared household where respondent is residing.

In the impugned order, it was noticed that a sum of Rs.7,23,500/- is outstanding against the present petitioner on account of maintenance allowance. The petitioner was directed to make payment towards electricity dues and it was further ordered that payment would be adjusted against the outstanding maintenance allowance. The relevant extracts of the impugned order read as under:-

“10. Under these circumstances, this court is of the opinion that the electricity connection and water connection installed at the premises where complaint is residing in the shared household is liable to be

restored temporarily till the rights of the parties and application for interim relief is decided at the appropriate stage. Since it has come on record that respondent no.1 Ravi Thakran is not paying the maintenance amount which is due to to (sic) paid by him towards the child and huge amount of Rs.7,23,500/- have accumulated hence, this court deems it appropriate that respondent no.1 Ravi Thakran shall deposit the arrears of electricity bills regarding the electricity connection which was installed in the premises/shared household where complaint is residing and the said amount shall be liable to be adjusted as and when the respondent no.1 Ravi Thakran makes payment of the arrears of maintenance due towards the child. It is further ordered that DHBVNL shall restore the electricity connection which was installed in the premises on production of certified copy of this order and respondents shall complete necessary formalities for restoration of the connection within 20 days from today failing which respondent no.1 shall be under liability to pay damages of Rs.50,000/- to the complainant since due to the conduct of respondents, complainant and her son have been made to live in scorching heat in the peak time of summers. The cost of restoration of electricity wiring and fitting for water connection shall also be born (sic) by respondent no.1. After restoration of electricity connection, the current charges for electricity meter month to month shall be paid by appellant and if possible a sub meter may be installed for premises of appellant if nearby shops on front side of house are also taking electricity from the same meter.”

Learned counsel for the petitioners, submits that petitioner vide Cheque No.084664 dated 13.08.2022 has already paid sum of Rs.7,23,500/- to the respondent which stands noted in order dated 13.08.2022 of National Lok Adalat. Inspite of the payment of said amount, the respondent has filed execution petition before the Trial Court at Gurugram.

Without commenting on the merits of the case, the Executing Court is requested to look into the fact of payment of outstanding maintenance allowance and thereafter proceed in accordance with law.

No further order is warranted.

Disposed of.

(JAGMOHAN BANSAL)
JUDGE

18.01.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>