

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

CWP-18715-2023

Date of decision: 25.08.2023

SUSHIL GARG

.....Petitioner

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. AND
OTHERS

.....Respondents

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

Present:- Mr. Rose Gupta, Advocate,
Mr. Amandeep Kumar, Advocate
Ms. Garima Modi, Advocate and
Ms. Hardeep Kaur, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for respondent No.1-UHBVN.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition was for seeking issuance of directions to respondents to award interest on delayed adjustment done by the respondents.

2. Counsel for the petitioner contends that the petitioner has an electricity connection bearing Account No. SM/5-41(P25L501-1024) in his name at Village Mehrana, Gohana Road, Panipat with connected load of 3300.000 KW. The respondents raised a bill of overburden on account of line loss to the extent of 1% in the year 2014. The said demand was challenged by the petitioner by filing an application before the Consumer Grievance Redressal Forum. The

above said complaint was allowed by the Consumer Grievance Redressal Forum vide order dated 15.01.2015 by holding that the feeder is a general feeder and the respondents were directed to correct the bills as line losses could not be build to the petitioner. The respondents Distribution Licensee challenged the said order by means of filing a batch of writ petition including CWP-14018 of 2015 before this Court while the petitioner preferred an application before the Electricity Ombudsman for execution of the said order which was disposed of by the Electricity Ombudsman directing the respondents to implement the order passed by the CGRF. Nonetheless, without prejudice to the rights of the petitioner, the access amount as demanded by the respondent-Distribution Licensee was deposited by the petitioner.

The above said writ petition was subsequently dismissed vide judgment dated 25.08.2022.

Counsel for the petitioner contends that in view of the demand raised by the respondent-distribution licensee having been found untenable, the petitioner gets entitled to the interest on the above said amount.

Notice of motion.

Mr. Vivek Saini, Advocate appears and accepts on behalf of respondent No.1.

Learned counsel appearing on behalf of respondent No.1 contends that the petitioner has an efficacious alternative remedy for raising his claims before the Consumer Grievance Redressal Forum and that the writ petition would not be maintainable in view of the

alternative efficacious remedies available to him.

In view of the above, counsel for the petitioner does not press the instant petition at this stage so as to take recourse to the alternative remedies available to him in accordance with law.

The present petition is accordingly disposed of with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 25, 2023

Vishal sharma

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