

CM No. 5429-C of 2021 in/and
RSA No. 1344 of 2021 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(261)

CM No. 5429-C of 2021 in/and
RSA No. 1344 of 2021 (O&M)
Date of Decision : 17.01.2023

Punjab State Power Corporation Limited and others

...Appellants

Versus

Bar Association Phagwara and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhilaksh Grover, Advocate for the appellants.

Harsimran Singh Sethi J. (Oral)

CM No. 5429-C of 2021

Present application has been filed seeking condonation of delay
of 62 days in filing the appeal.

Keeping in view the averments made in the application, which
is duly supported by an affidavit, the same is allowed and delay of 62 days
in filing the appeal is condoned.

CM-5428-C-2021

Application is allowed, as prayed for.

RSA No. 1344 of 2021

Learned counsel for the appellants submits that the only prayer
of the respondents-plaintiffs for uninterrupted electricity power supply to

the civil court premises has been ordered by the trial Court, which order has been upheld by the lower appellate court. Learned counsel for the appellants submits that there will be no intentional disruption of the electricity but unintentional circumstances, which are beyond the control of the appellant-corporation, have not been taken into account while passing the order.

The apprehension, which is being raised by the appellants is without any basis. The uninterrupted power supply has been directed to be allowed in favour of the respondents-plaintiffs. Once, the appellants have undertaken to comply with the said direction, any unintentional minor interruption, which is beyond the control of the appellants, if any occurs, is brought to the notice of the executing court, in case any execution proceeding continues with the respondent-plaintiff, same will be decided by the said court in accordance with law keeping in view the facts and circumstances of this case.

Keeping in view the above, learned counsel for the appellants submits that the present appeal may kindly be disposed of having been not pressed any further.

Ordered accordingly.

January 17, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No