

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-5637-2024 (O&M)
Date of decision: 15.04.2024

Chairman, Punjab State Power Corporation Limited and others
...Petitioners

VERSUS

Chairman, Permanent Lok Adalat, Mansa and another
...Respondents

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

Present :- Mr. Rangat Joshi, Advocate for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the Award dated 09.11.2023 passed by the Permanent Lok Adalat, Mansa, on the ground that the same is erroneous, illegal, arbitrary and unconstitutional.
2. Learned counsel appearing on behalf of the petitioners-PSPCL contends that the respondent-applicant had moved an application under Section 22-C of The Legal Services Authorities Act, 1987, claiming therein that he was an agriculturist and had been sanctioned an AP Motor/Tubewell connection under the Chairman Discretionary Quota on priority basis by the PSPCL for irrigation of his agricultural land situated at village Dalel Wala, District Mansa, Punjab. On receipt of a letter from the office of Sub-Divisional Officer, the respondent-applicant deposited a sum of Rs.22,000/- as demanded vide receipt No.349 dated 23.02.2016, Book No. 49409. The respondent-applicant alleged that he had visited the office of the petitioner on numerous occasions, however, the connection was not issued. A legal notice was thereafter served upon the petitioner-PSPCL to which response

was sent vide letter No.4027 dated 17.08.2020 wherein it was admitted that the respondent-application was entitled to the release of the electricity connection, however, the same was stated to have not been released on account of imposition of the Model Code of Conduct.

3. Aggrieved of the said reply, the application was preferred.
4. The petitioner appeared before the Permanent Lok Adalat (Public Utility Services), Mansa, and filed its response wherein the factual aspect noticed above was not disputed or denied, however, it was submitted that after the approval of the application for the release of electricity supply, a circular No.20/2018 dated 13.04.2018 was received from the petitioner directing that no fresh demand notice for release of electricity connection except the Freedom Fighter Category be released. Thus, there was a delay in release of the connection for the said reason. Thereafter, there was the Assembly Election leading to imposition of the Model Code of Conduct. Hence, there was no willful default or delay in release of the electricity connection.
5. Attempts for amicable resolution of the dispute failed to fructify in any acceptable settlement thereupon adjudication under Section 22-C(8) of The Legal Services Authorities Act, 1987, was initiated. The parties lead their respective evidence and upon consideration of the said evidence, the Permanent Lok Adalat (Public Utility Services) examined the issue as to whether the applicant-respondent was entitled to release of the electricity connection for the Tubewell or not.
6. The petitioner-PSPCL itself admitted that an order directing release of electricity connection under the Chairman Discretionary Quota had already been passed by the petitioner and the demanded amount had also

been deposited, it was observed that the respondent-applicant became entitled to the release of the said connection. Accordingly, the PSPCL was directed to release the said connection within a period of two months from the date of said order. Aggrieved thereof, the present writ petition has been preferred.

7. Learned counsel appearing on behalf for the PSPCL could not dispute the admissions made by the PSPCL in the reply filed before the Permanent Lok Adalat (Public Utility Services) about the demand having been raised, the amount deposited and also that the respondent-applicant fulfilled all requisite eligibility conditions under the applicable policies/circulars as notified by the PSPCL for release of the said connection.

8. It was also not disputed by the learned counsel that the Model Code of Conduct would inure only till the conclusion of the elections and that there was no impediment in the release of the electricity connection after expiry of the said period. He could not refer to any illegality, perversity or impropriety in the order passed by the Permanent Lok Adalat (Public Utility Services), Mansa, or draw attention of this Court as to how the Award in question suffered for non-appreciation of the evidence adduced before the Court.

9. The present writ petition is dismissed and Award passed by the Permanent Lok Adalat (Public Utility Services), Mansa, is accordingly affirmed.

(VINOD S. BHARDWAJ)
JUDGE

15.04.2024

Mangal Singh

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