

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

127

**CWP-6250-2024 (O&M)
Date of decision: 15.03.2024**

Zile Singh

...Petitioner

VERSUS

Dakshin Haryana Bijli Vitran Nigam Limited and others

...Respondents

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

Present :- Mr. R.N. Lohan, Advocate for the petitioner.

Mr. Vivek Saini, Advocate for respondents No.1 and 2.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the assessment Notice dated 27.03.2018 (Annexure P-5) passed by respondent No.2-Distribution Licensee under Section 135 of The Electricity Act, 2003. A further prayer has been made for issuance of direction to the respondents to refund the amount of Rs.54,213/- deposited by the petitioner pursuant to the above said order of assessment.

2. Learned counsel appearing on behalf of the Distribution Licensee contends that in an issue pertaining to the assessment, the Distribution Licensee had already issued a sale circular No. D-34 of 2017 bearing memo No.CH-34/GM/Commercial/R-16/127/2004/F-18 dated 12.09.2017 as per which an Appellate Authority against such an assessment has already been notified. He further contends that the petitioner thus has an

alternate efficacious remedy to espouse his grievance as regards the assessment made.

3. In view of the above statement made by the learned counsel for the Distribution Licensee, learned counsel for the petitioner does not press the instant petition at this stage so as to exhaust his alternate remedies.

4. The present writ petition is accordingly disposed of with a liberty to the petitioner to file an appeal in terms of the aforesaid sale circular No. D-34 of 2017 bearing memo No.CH-34/GM/Commercial/R-16/127/2004/F-18 dated 12.09.2017 within a period of 30 days, in the event of petitioner filing such an appeal, the same shall be expeditiously decided by the appropriate authority after affording opportunity to the petitioner.

(VINOD S. BHARDWAJ)
JUDGE

15.03.2024

Mangal Singh

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