

Neutral Citation No. 2023:PHHC:007138

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

245

CWP-13986-2022 (O&M)

Date of decision:- 18.01.2024

G.G.S. MEDICAL COLLEGE AND HOSPITAL FARIDKOT

... Petitioner

Vs.

PUNJAB STATE POWER CORPORATION LTD. AND ORS

...Respondents

246

CWP-14010-2022 (O&M)

G.G.S. MEDICAL COLLEGE AND HOSPITAL FARIDKOT

... Petitioner

Vs.

PUNJAB STATE POWER CORPORATION LTD. AND ORS

...Respondents

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

Present: Mr. Nitin Kaushal, Advocate
Mr. Saurabh Chawla, Advocate for the petitioner.

Mr. Karan Kaushal, Advocate for respondents No. 1 to 8.

VINOD S. BHARDWAJ, J. (Oral)

This common order shall dispose of the above two petitions as the issue involved in these petitions are identical in nature. However, for the sake of brevity, the facts are being extracted from CWP No. 13986 of 2022.

2. Challenge in the present petition is to the order dated 10.11.2021 (Annexure P-3), passed in Application No.44 of

28.04.2016 passed by the Permanent Lok Adalat (Public Utility Services), Faridkot.

3. Counsel for the parties submit that the aforesaid proceedings had been initiated by the petitioner-Medical Superintendent, GGS Medical College & Hospital, Sadiq Road, Faridkot against letter No.1160 dated 08.08.2015, which was a provisional order of assessment under Section 126 of the Electricity Act, 2003 (for short 'the Act') and that no final order of assessment under Section 126 of the Act was passed. They further fairly conceded that the Permanent Lok Adalat would not be having jurisdiction in terms of the judgment of this Court in ***UHBVNL Ltd. and others Vs. Permanent Lok Adalat for Public Utility Services and others, CWP No.17586 of 2015***, decided vide judgment dated 04.03.2016. It is contended that the award dated 10.11.2021 passed by the Permanent Lok Adalat (Public Utility Services), Faridkot may be set aside and the parties may be relegated to appear before the Assessing Authority for proceeding further in the matter in terms of the mandate of the Electricity Act, 2003 and to take recourse to the remedies as prescribed thereunder.

4. The present petitions are accordingly disposed of with the consent of the parties and without commenting on the merits of the case. The impugned award dated 10.11.2021 passed in Application(s) No.43/44 of 28.04.2016 by the Permanent Lok Adalat (Public Utility Services), Faridkot is set aside.

5. The parties shall appear before the Assessing Authority

under Section 126(3) of the Electricity Act, 2003 on 12.02.2024
whereupon the competent authority shall proceed further in the matter
and pass a final order. The parties shall thereafter be at liberty to
pursue their remedies, if any, in accordance with law.

18.01.2024

pooja saini

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned

Whether reportable

: Yes/No
: Yes/No