

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

120

CWP-8864-2024
Date of Decision: 22.04.2024

JAIMAL SINGH

... Petitioner

VERSUS

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD.
AND OTHERS

... Respondents

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

Present: Mr. L.R. Sharma, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for the respondents.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to transfer the tube well connection No.1744943000 (11434APODAD40167) in the name of the petitioner as per sale deed bearing Vasika No.1965 dated 06.09.2022 (Annexure P-1).

It is contended by the counsel for the petitioner that he has purchased the agricultural land measuring 27 kanals situated within the revenue estate of Village Anta, Tehsil Safidon, District Jind vide Vasika No.1965 dated 06.09.2022 from Amir Singh and Amrik Singh sons of Kundan Singh for a total sale consideration of Rs.1,01,25,000/- . He states that it was specifically incorporated in the sale deed that the tube well alongwith the electricity connection has also been sold in favour of the petitioner by virtue of the aforesaid sale deed.

He contends that the abovesaid tube well connection was registered in the name of Kundan Singh- father of the vendors namely Amir Singh and Amrik Singh; and Kundan Singh had also submitted an affidavit having no objection to the transfer of the electricity connection in the name of the petitioner. It is contended that the petitioner has since then been in actual, physical and cultivating possession of the land and is using the tube well and electricity connection and has been paying the electricity bills regularly. The

petitioner moved an application to the respondent-Authorities for transfer of the abovesaid electricity connection in his name, however, the same has not been done by the Authorities for no valid reason. It is submitted that the respondents have now asked for fresh NOC from the owners whereas there is no such mandate and that no communication has been sent in writing to the petitioner and that the application has been kept pending without assigning any reason in writing.

Counsel for the respondents, on the other hand, contends that there is no demand of any new NOC from the previous owners of the land or the tube well connection so far and that the prayer simplicitor is for seeking transfer of the electricity connection, for which the petitioner ought to first exhaust his alternative remedies by approaching the Consumer Grievances Redressal Forum.

Faced with the above counsel for the petitioner does not press the instant petition at this stage so as to file an appropriate petition/application before the Consumer Grievances Redressal Forum.

Disposed of as not pressed at this stage with the liberty as aforesaid.

Needless to mention that in the event of the petitioner approaching the Consumer Grievances Redressal Forum, an expeditious decision shall be taken on the application/petition by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties and preferably within a period of 3 months of receipt of certified copy of this order.

APRIL 22, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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