



CWP-10101-2020

-1-

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

225

CWP-10101-2020

Date of decision: 21.08.2024

Valley Resident Welfare Society

...Petitioner

Versus

Uttar Haryana Bijlin Vitran Nigam Limited & others ...Respondents

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

Present : Mr. HPS Ishar, Advocate
for the petitioner.

Mr. Arvind Seth, Advocate,
for the respondents.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for directing the respondents to refund/adjust the overcharged amount to the tune of Rs.38,25,000/- along with interest from the date of overcharge till realization, for the Bulk Supply (domestic) connection bearing Account No.827BS02009Y.

Learned counsel appearing on behalf the respondents has informed this Court that initially the Bulk Supply Category Connection was approved with the load of 1500 KW and the same was sanctioned in favour of M/s DLF Home Panchkula Pvt. Ltd. In violation of condition No.7 of the approved electrification plan dated 29.02.2012, load of common services exceeded more than 15%. It was also pointed out by the Chief General Manager/Commercial, UHBVN, Panchkula that the proposed tariff shown in Bulk Supply is 'DS', whereas the commercial load tariff charged ought to have been under the bulk 'NDS' Category. Accordingly, the demand was reassessed and an amount of Rs.4,43,00000/- approximately has been raised



CWP-10101-2020

-2-

against the consumers and a revised bill dated 30.05.2022 was issued. Learned counsel for the respondents further states that a writ petition bearing CWP No.26330-2022 was filed by the petitioner-Society along with DLF challenging the revised bill/demand. The said writ petition was dismissed in limine by this Court with a liberty to the petitioner to avail alternative remedies. Against the said order passed in the above writ, a Letters Patent Appeal bearing No. 1183-2022 was preferred by the petitioners and the same is stated to be pending.

Be that as it may, the prayer of the petitioner is for seeking refund of the amount, which is claimed to be overcharged, whereas the demand now raised by the respondents is over and above the amount, the refund whereof is being sought. I find that till such time the revised bill is set aside, the petitioner would not have any cause of action to pursue the present writ petition for seeking a refund.

The present writ petition is hence disposed of as having been rendered infructuous at this stage in view of the subsequent developments with liberty to seek revival of the present writ petition, if so advised, in the event of the petitioner succeeding in the challenge raised to the revised bill.

21.08.2024
monika

(VINOD S. BHARDWAJ)
JUDGE

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