



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-10772-2024 (O&M)

Date of decision: 10.05.2024

Sanjay Kumar

...Petitioner

VERSUS

Punjab State Power Corporation Limited and others

...Respondents

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

Present :- Mr. Fateh Singh Dhillon, Advocate for the petitioner.

Mr. Munish Gupta, Advocate for respondents No.1 to 3.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for directing respondents No.1 and 2 to restore the electricity connection bearing No.3008722027 in respect of the premises i.e. Top Floor Front Side Portion Cabin No.4 of SCO NO.24, Phase-1, Sector-55, SAS Nagar, Mohali, Punjab.

2. Learned counsel for the petitioner contends that the petitioner had taken the aforesaid top-floor on lease from respondents No.4 and 5 vide registered lease deed dated 07.07.2022, for a period of 6 years, from 01.06.2022 to 31.05.2028. The electricity supply was being distributed to all the tenants of the Top Floor from one meter and the charges were being collected by the landlords. He submits that the petitioner had been regularly paying all the dues in question. However, the electricity meter was burnt intentionally by respondent No.4 and 5. The petitioner submitted an application with the respondent-Corporation on 19.04.2024 and deposited the requisite amount for release of new electricity meter/connection. An



allotment of account No.3008722027 was made on the same day and an electricity connection was released in his favour after installing a new electricity meter. However, on the very next day, the newly installed electricity meter was removed by the officials of the respondent-Corporation without any prior notice and also without affording any opportunity of hearing to the petitioner. He approached the respondent-authority whereafter it was informed that there was outstanding dues of Rs.51,898/- pending towards the premises in question and therefore, the application for NRS supply of electricity cannot be accepted.

3. Learned counsel for the petitioner contends that the petitioner is ready and willing to clear all the statutory dues or arrears that are being claimed against the said premises and that the connection ought to be released. He submits that the respondents-authorities are not restoring the electricity supply in connivance with the landlords. A dispute is already pending before the Civil Court between the petitioner and respondents No.4 and 5 and there is no order of restraint passed against the release of the electricity supply.

4. Mr. Munish Gupta, Advocate, entered appearance on behalf of the respondent-Corporation and prayed for some time to verify the status of the claim made by the petitioner which was granted vide order dated 09.05.2024.

5. On resumed hearing, Mr. Munish Gupta, Advocate, informs that the said aspects are undisputed and that there is no stay order communicated to the respondents-Corporation by any competent Court



against restoration of electricity supply. He submits that the petitioner had issued a cheque with respect to clearance of the arrears, however, as per the instructions issued, any dues beyond Rs.20,000/- are not to be accepted by way of a cheque and a consumer/applicant is required to transmit such amount only by way of an RTGS to the account and requisite proof is required to be furnished. He is also not in a position to controvert that in the event of the petitioner satisfying all the statutory requirements in clearing the dues against the premises, the respondent-PSPCL is obligated to release the electricity connection to the consumer/applicant.

6. Learned counsel for the petitioner thus submits that he has no further grievances in view of the statement made by the learned counsel for the respondent-PSPCL.

7. The present petition is accordingly disposed of at this stage with liberty to the petitioner to approach the respondent-PSPCL by way of an application for seeking restoration of electricity connection along with clearing all statutory dues as per law.

8. Upon the petitioner clearing the dues against the said property, the electricity supply to the premises shall be restored subject to any adverse order that may have been passed by any competent Court against release/restoration of such electricity connection.

(VINOD S. BHARDWAJ)
JUDGE

10.05.2024
Mangal Singh

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