



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.3170 of 2024 (O&M)

Date of Order:23.05.2024

Amisha Grover

.Petitioner

Versus

Dakshini Haryana Bijli Vitran Nigam and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sushil Kumar Verma, Advocate
Mr. Rajat Verma, Advocate, for the petitioner.

ANIL KSHETARPAL, J

1. This revision petition has been filed by the plaintiff under Article 227 of the Constitution of India, to challenge the correctness of the conditional order passed by the trial court while directing restoration of electric connection in her residential premises. The suit filed by the plaintiff is at a preliminary stage. On 03.04.2024, the defendants entered appearance and the following order was passed:-

“Power of attorney on behalf of defendants no.1 to 3 filed. Let it be taken on record.

At this stage, learned counsel for plaintiff stated at bar that an illegal notice has been issued by defendants pertaining to liable of father-in-law of plaintiff.

On the other hand, learned counsel for defendants stated at bar that connection pertaining to plaintiff was issued of same premises for which plaintiffs father-in-law was liable. After hearing contents of both parties, this court is of view that dis-connected connection of plaintiff be restored immediately as and when plaintiff deposits 50% of disputed amount.

Now the case is adjourned to 15.07.2024 for filing written statement on behalf of defendants no.1 to 3.”



2. The learned counsel representing the petitioner contends that the condition is onerous as she has been made liable to pay 50% of the disputed amount. He submits that the petitioner is a separate entity from M/s Grover Metal Industries.

3. This court has considered the submissions of the learned counsel representing the petitioner.

4. The petitioner's father-in-law was running a firm under the name, M/s Grover Metal Industries. There was an outstanding amount of Rs.7,47,850/- on this firm towards electricity consumption charges. The notice was issued to the petitioner calling upon her to pay the amount, however, the payment was not made. Consequently, the electric connection was disconnected. She previously also filed a civil suit which was withdrawn and a fresh suit was filed for grant of decree of declaration. In the aforesaid suit, she filed an application for grant of temporary injunction which is yet to be finally decided by the court. As an interim measure the court has directed the respondents to restore the connection on deposit of 50% of the disputed amount. In these circumstances, at this stage, it would not be appropriate to pass any further order. However, the petitioner if so advised may file an application before the learned trial court.

5. Disposed of accordingly.

6. All the pending miscellaneous applications, if any, are also disposed of.

May 23, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO