



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

114

CWP-22870-2024 (O&M)
Date of decision: 10.09.2024

M/s Garg Rice Mills

...Petitioner

VERSUS

State of Punjab and others

...Respondents

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

Present :- Mr. Shiv Kumar, Advocate and
Mr. Lovedev Singh, Advocate for the petitioner.

Mr. Brea Sandhu, Advocate for respondents No.2 and 3.

Mr. Gaurav Goel, Advocate for respondent No.4.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for directing the respondent-Punjab State Power Corporation Ltd. to release new electricity connection notwithstanding the pending outstanding dues against the erstwhile owner i.e. M/s Malwa Rice Mills.

Memorandum of appearance on behalf of respondents No.2 and 3 has been filed today in the Court and the same is taken on record.

It is submitted that the original owner of the premises in question had already preferred an application under Section 22-C of the Legal Services Authorities Act, 1987 before the Permanent Lok Adalat (Public Utility Services) and that the said demand is still disputed. The respondent-Punjab State Power Corporation Ltd. thus cannot claim the said



demand from the petitioner. He further contends that the outstanding arrears against the premises were also not made known to the petitioner when the property was put up for auction.

Learned counsel appearing on behalf respondent No.2 and 3- Punjab State Power Corporation Ltd. submits that respondents are entitled to seek recovery from the subsequent purchaser as the liability is against the premises and in the event of non-disclosure of any claims by the Bank to the petitioner, he can avail his remedies against the Bank itself and cannot bind the respondent-Corporation for releasing connection notwithstanding that the provisions of the Electricity Act, 2003 and the Regulations framed thereunder provide for recovery of the pending electricity dues from the owner of the premises.

Faced with the same, learned counsel for the petitioner seeks permission to withdraw the present petition so as to take recourse to an appropriate alternative remedy in accordance with law.

Learned counsel for the respondents have no objection to the same.

Disposed of as withdrawn with the liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

10.09.2024
Mangal Singh

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