

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

111

CWP-21342-2023
Date of Decision: 05.03.2024

KAMALJEET SINGH

... Petitioner

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED AND ORS

... Respondents

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

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Ms. Kashish Sahni, Advocate for the respondents-PSPCL.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for seeking issuance of directions to the respondents to restore the electricity connection of the petitioner which has been illegally disconnected by respondent No.2 and his team on 14.09.2023 without following the due procedure as laid down in The Electricity Act, 2003.

Pursuant to the notice, a reply by way of an affidavit of Manohar Singh, Executive Engineer, East Division, PSPCL, Amritsar has been filed, wherein it has been averred that the electricity connection of the premises of the petitioner was checked by the Addl. Superintending Engineer (Enforcement) on 14.09.2023 and it was found that there was a case of theft of energy. Resultantly, the electricity supply to the premises of the petitioner was disconnected in terms of the mandate of Section 135 of The Electricity Act, 2003. The notices of assessment as well as compounding fee have been served upon the petitioner, however, he refused to accept the same. It is further averred therein that an FIR with respect to the said incident has already been registered.

Under the given circumstances, it cannot be held that the disconnection of the electricity supply to the premises of the petitioner was arbitrary and/or without any valid cause. The disconnection has been undertaken by the respondent-Distribution Licensee in accordance with the statutory procedure.

The petitioner would, however, be at liberty to pursue his alternative remedies, in accordance with law to impugn the disconnection and/or the proceedings initiated under Section 135 of The Electricity Act, 2003 as well as the consequential FIR(s) registered, if any.

The petition stands disposed of in above terms.

MARCH 05, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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