

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

107

(I) CWP-3382-2023

Date of Decision : February 25, 2025

BALBIR SINGH MARJARA

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(II) CWP-4907-2023

RAJ KUMAR AND ANR.

-PETITIONERS

V/S

CHAIRMAN, PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(III) CWP-6718-2023

MANJIT SINGH

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(IV) CWP-6802-2023

ARUNA DEVI

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(V) CWP-13272-2023

KAMINI BEHL AND ANOTHER

-PETITIONERS

V/S

**CHAIRMAN, PERMANENT LOK ADALAT (PUBLIC UTILITY
SERVICE), DISTT. LUDHIANA AND OTHERS**

-RESPONDENTS

(VI) CWP-15014-2023

PARMINDER SINGH

-PETITIONER

V/S

PERMANENT LOK ADALAT, LUDHIANA AND ORS.

-RESPONDENTS

(VII) CWP-14629-2023

INDERJIT KAUR AND ANR.

-PETITIONERS

V/S

CHAIRMAN, PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(VIII)CWP-15277-2023

NARINDER SINGH

-PETITIONER

V/S

PERMANENT LOK ADALAT, LUDHIANA AND ORS.

-RESPONDENTS

(IX) CWP-23275-2023

TAJINDER KAUR

-PETITIONER

V/S

CHAIRMAN, PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(X) CWP-18842-2023

SURINDER SINGH

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(XI) CWP-15923-2023

CWP-3382-2023 and connected cases

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PRITPAL SINGH

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(XII) CWP-15853-2023

DEVENDER GOSWAMI

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

(XIII)CWP-14483-2023

GUDDY

-PETITIONER

V/S

PERMANENT LOK ADALAT AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Rahul Rampal, Advocate
for the petitioner(s) (in CWP-3382-2023, CWP-15853-2023,
CWP-15923-2023, CWP-18842-2023, CWP-6718-2023 and
CWP-6802-2023).

Mr. Amarbir Singh Pahwa, Advocate
for the petitioner(s) (in CWP-4907-2023, CWP-13272-2023,
CWP-14629-2023 and CWP-23275-2023).

Mr. Vikas Prakash, Advocate and
Mr. Gagandeep Singh Virk, Advocate
for the petitioner(s) (in CWP-15014-2023 and
CWP-15277-2023).

Mr. Jagdeep Singh, Advocate and
Mr. Bhrigu Agnihotri, Advocate
for the petitioner(s) (in CWP-14483-2023).

Ms./Mrs. Gurmeet Kaur Gill, Senior Panel Counsel
for the respondent(s)-U.O.I.

Ms./Mrs. Harpriya Khaneka, Advocate
for respondent(s)-PSPCL (in CWP-23275-2023).

Mr. Hritik Sharma, Advocate for
Mr. Vishal Aggarwal, Advocate
for the respondents No.2 and 3-PSPCL (in CWP-6718-2023
and CWP-6802-2023).

Mr. Nikhil Vats, Advocate
for respondents No.2 & 3 (in CWP-14629-2023).

Ms./Mrs. Gagandeep Kaur, Advocate
for respondent(s)-PSPCL (in CWP-4907-2023).

Mr. Kunal Mulwani, Advocate
for respondents No.2 and 3 (in CWP-3382-2023,
CWP-15014-2023 and CWP-15923-2023).

KULDEEP TIWARI, J. (ORAL)

1. All these writ petitions are amenable for being decided through a common verdict on account of theirs encompassing common prayers and identical facts. For the sake of convenience, the relief(s) yearned in CWP-3382-2023 is extracted hereinafter:-

“Setting aside the order dated 23.12.2022 (Annexure P-10), whereby, the Permanent Lok Adalat has dismissed the petitioner’s application for grant of temporary electricity meter; and; Setting aside the Notice dated 30.01.2023 (Annexure P-11), as issued by the respondent No.2/distribution licensee, for removal of temporary electricity meter installed in the residential house of the petitioner”

2. Succinctly stated; the genesis of the present dispute is embodied in the declaration/notification dated 31.01.1983, as made under Section 3 of the Works of Defence Act, 1903. This notification faced the fire of litigation for a considerable period, and finally, Hon’ble the Supreme Court adjudicated the legality thereof through drawing the verdict dated 18.12.2024 upon Civil Appeal No.6081 of 2017 and connected appeals. Although Hon’ble the Supreme Court drew the

conclusion to strike down the declaration/notification (supra), however, taking into account the request made by the Government, the quashing thereof was ordered to be kept in abeyance for a period upto 31.05.2025, awaiting publication of fresh declaration. The relevant paragraphs of the verdict dated 18.12.2024 are reproduced hereunder:-

“15. Learned Attorney General submitted that as there needs to be continuity with respect to notification under section 3 of the 1903 Act, this Court may keep the quashing of the notification in abeyance for a reasonable period of 3-4 months to enable the government to carry out fresh exercise before issuing the notification under section 3 of the 1903 Act.

16. While doing so, we provide that Central Government would be at liberty, to come out with a fresh declaration under section 3 of the 1903 Act after making due enquiry, survey and determining fresh parameters as may be required under the provisions of the 1903 Act, in today's context after preparing all the necessary documents during the enquiry, as may be required, and thereafter to proceed strictly in accordance to the scheme of the 1903 Act and within the time stipulated thereunder. Since continuity has to be maintained with respect to such declaration, we may keep the quashing of the declaration dated 31.01.1983 in abeyance for a period up to 31.05.2025 during which period the fresh declaration may be published. Accordingly, we allow the appeals as follows:

- a) The impugned judgment of the High Court is set aside.*
- b) The impugned declaration under Section 3 of the 1903 Act dated 31.01.1983 and the impugned notices are hereby quashed.*
- c) The above quashing of the declaration shall remain in abeyance up to 31.05.2025.*
- d) The Central Government would be at liberty to publish a fresh declaration under Section 3 of the 1903 Act within the above time whereafter such fresh declaration shall come into force from the date of its publication.*
- e) No action would be taken by the respondents in the meantime*

on the basis of the notification dated 31.01.1983 under section 3 of the 1903 Act.

f) Appellants shall not raise any further constructions in the meantime till fresh notification is issued.

g) The respondents shall proceed strictly in accordance with the scheme of the Act after issuing fresh declaration under section 3 of the 1903 Act.”

3. In view of the above, at this stage, this Court is of the opinion that, no further order or direction is required to be passed upon these writ petitions as the issue(s) encompassed therein has already been settled by Hon’ble the Supreme Court. Now, the respondents are required to take action in accordance with the directions passed by Hon’ble the Supreme Court in the verdict (supra).

4. Consequently, the instant writ petitions are **disposed of**.

5. A photocopy of this order be placed on file of each connected case.

February 25, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No