

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113

RSA-2924-1994

Date of decision : 06.02.2025

Haryana State Electricity Board through its Secretary, Chandigarh
and others

..... Appellants

versus

Om Parkash

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Akash Yadav, Advocate
for the appellants.

None for the respondent.

PANKAJ JAIN, J. (Oral)

1. Defendant-HSEB is in appeal. Plaintiff filed suit seeking decree of permanent injunction aggrieved of imposition of penalty of Rs.8,975.69.

2. Both the Courts below have decreed the suit filed by the plaintiff, as the penalty imposed upon the plaintiff by the defendant, was based upon checking of his premises on 04.06.1984, claiming that the load was over by 26 HP. Courts found favour with the plaintiff, as the official S.S. Dua, who conducted inspection while appearing as DW-1, admitted that he had no equipment on the date of inspection to check the meters. He further admitted that he did not try to see whether the meters were connected with jaffors and made no inquiry from Naresh Kumar. It was further found that the connection of the consumer already stood disconnected w.e.f. 15.04.1984. Meaning



thereby that on the day, the checking was conducted on 04.06.1984, the connection of the plaintiff had already been disconnected. Thus, the question of his using unauthorized load of 26BHP does not arise.

3. Counsel for the appellants has not been able to show any infirmity or illegality in the findings recorded by the Courts below. Apart from that keeping in view the amount involved, this Court does not find any reason to interfere in the present regular second appeal and the same is ordered to be dismissed.

(PANKAJ JAIN)
JUDGE

06.02.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No