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

**CWP-17798-2025(O&M)
Date of decision:-05.08.2025**

Punjab State Power Corporation Ltd.

...Petitioner

Versus

Permanent Lok Adalat and Anr.

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Arpandeeep Narula, Advocate
for the petitioner.

SUVIR SEHGAL, J.(ORAL)

CM-11173-2025

1. Application is allowed, as prayed for.
2. Annexures P8 to P10, are taken on record.

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3. By way of present petition filed under Articles 226/27 of the Constitution of India, petitioner has sought issuance of a writ in the nature of certiorari for quashing of award dated 14.03.2024, Annexure P5, passed by Permanent Lok Adalat, Public Utility Services (for brevity



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‘PLA, PUS’), Mansa.

4. Factual dispute lies in a very narrow compass. Late Smt. Surjit Kaur, grandmother of respondent No.2, applied for a AP tubewell connection upon deposit of Rs.1,000/- vide receipt dated 30.03.2007 with the petitioner. She died on 13.08.2021. On basis of a registered Will dated 08.04.2002 executed in his favour, respondent No.2 became the owner of the entire movable and immovable properties of the deceased. Mutation of the agricultural land was entered in his favour. By application dated 08.02.2013, he applied for transfer of the connection to his name. Vide letter dated 21.02.2013, Annexure P1, respondent No.2 was informed that it was incumbent upon him to furnish a no objection self declaration from all the legal representatives of the deceased. In response, vide letter dated 25.02.2013, Annexure P2, respondent No.2 informed the petitioner that he is unable to furnish the declarations and requested that a notice be published in the newspapers. A notice was published in newspaper “Ajit” and after submitting his affidavit, respondent No.2 again submitted an application dated 13.12.2016 to the petitioner to provide him the tubewell connection. Petitioner changed the name of respondent No.2 in place of Smt. Surjit Kaur upon deposit of an amount of Rs.118/- on 16.08.2019, but did not allot the tubewell connection. Respondent No.2 filed an application, Annexure P3, under Section 22 of the Legal Services Authorities Act, 1987 (for short “Act of 1987”), which was contested by the petitioner by filing a reply,



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Annexure P4. By the impugned award, Annexure P5, application has been accepted by PLA, PUS and petitioner has been directed to release the tubewell connection to respondent No.2 within a period of two months from the date of order.

5. Counsel for the petitioner has contended that PLA, PUS has erred in accepting the application despite the fact that vide Commercial Circular No.20/2018, Annexure P7, petitioner has taken a decision not to issue any fresh demand notices for release of tubewell connections. Counsel asserts that the circular is a part of the record, but the PLA, PUS did not even advert to it while passing the impugned award. He urges that respondent No.2 had failed to comply with Clause 30.3 of the Electricity Supply Instructions Manual, 2018 and in the absence of no objection from other heirs, connection could not be transferred in his name. Still further, he contends that the PLA, PUS has adjudicated the matter on merits contrary to the provisions of Section 22-C (8) and 22-D of Act of 1987.

6. I have heard counsel for the petitioner and considered his submissions besides examining the documents placed on the record.

7. A perusal of the impugned order shows that on 06.01.2022, PLA, PUS framed the terms of possible settlement between the parties. Although, petitioner accepted that account has been transferred to the name of respondent No.2, but did not agree to release the connection in his favour. PLA, PUS thereupon proceeded to decide the dispute on



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merits in terms of Section 22-C (8) of the Act of 1987. It therefore does not lie in the mouth of the petitioner to urge that the procedure prescribed under the Act of 1987 has been breached.

8. Once the petitioner had changed the account to the name of respondent No.2, account would relate back to the date of its opening i.e. the date on which the application was submitted by grandmother of respondent No.2. Concededly, Smt. Surjit Kaur had applied for the connection on 30.03.2007 upon the deposit of the requisite amount. The status of the application has to be considered from the date of applying. Commercial Circular No.20/2018, Annexure P7, was issued by the petitioner on 30.04.2018 and it was decided that no fresh demand notice shall be issued against general category and any priority category AP applications. Circular, Annexure P7, further provides that there will be no change in the cut-off dates specified in Commercial Circular No.54/2016, Annexure P10. Circular, Annexure P10, clarifies that demand notices can be issued to AP category applicants who have been registered upto 31.03.2007. A cumulative reading of both the circulars would show that there is no bar to the release of connection to respondent No.2. As the account stood changed in the name of respondent No.2, objection raised that conditions laid down in Clause 30.3 of the Electricity Supply Instructions Manual, 2018 have not been fulfilled, is an argument in vain. There is no merit in any of the arguments addressed by the counsel for the petitioner. This Court does



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not find any reason to interfere with the well reasoned award passed by PLA, PUS.

9. Petition is devoid of any merit and is dismissed, though with no order as to costs.

(SUVIR SEHGAL)
JUDGE

05.08.2025
Brij

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