



CWP-28022-2017

1

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

(214)

CWP-28022-2017

Date of Decision : 27.01.2025

Seema Duggal

...Petitioner

Versus

Permanent Lok Adalat, Ludhiana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vishal Yadav, Advocate (Legal Aid Counsel)
for the petitioner.

Mr. Harsimaran Singh Sitta, Advocate
for respondents No.2 and 3-PSPCL.

KULDEEP TIWARI, J.(ORAL)

1. The petitioner filed the application against the respondent-Punjab State Power Corporation Limited (PSPCL), which was dismissed by the Permanent Lok Adalat, Ludhiana, by passing an award dated 18.09.2017 (Annexure P-4), and this has caused grievance to the petitioner, propelling her to file the instant writ petition, under Articles 226/227 of the Constitution of India, seeking quashing of the award (supra).

FACTS OF THE CASE

2. Succinctly, the petitioner filed an application before the Permanent Lok Adalat concerned, stating therein, that she has an electricity meter bearing account No.W12SP212226Y, installed in her name, at her commercial space, i.e. property No.2360, Street No.1, Preet Nagar, Dhuri Lines, Ludhiana. The said meter was for the commercial purpose. The respondent-PSPCL, used to issue bills for consumption of electricity and the

petitioner had been paying the same regularly. The average bill of the

**CWP-28022-2017****2**

petitioner remains somewhere between Rs.1300/- to Rs.1500/-. In the month of December, 2012, the petitioner had received a bill, in which 397 units have allegedly been charged by the respondent-PSPCL, and for the month of January, 2013, the bill showing the consumption of 1089 units was issued to the petitioner, and thereafter, two other bills of consumption of 864 and 5806 units were sent, and in this way, total amount of Rs.44,630/-, was claimed by the respondent-PSPCL, vide bill No.85741.

3. It was further pleaded that the excess consumption has been shown on account of jumping of the meter. On number of occasions, the petitioner apprised the said fact to the respondent-PSPCL, however, despite assurance, no steps were taken to rectify the mistake. Thereafter, finally on the request of the petitioner, the respondent-PSPCL replaced the old meter with a new one, and for replacement of the meter as well, the petitioner got deposited some amount, with the respondent. However, despite that, the said error was not rectified. The application so preferred by the petitioner was opposed by filing a written statement/reply to the effect that the petitioner has concealed the material facts, as she is a consumer of respondent-PSPCL, and got the meter installed for the commercial purpose, having sanctioned load of 7.70 KW, and an application on her behalf was moved on dated 19.06.2013, wherethrough, she made the complaint that the meter was not working properly, and the meter works without the load. In pursuance to the said application, the respondent-PSPCL, got the meter checked on the very next day, i.e. on dated 20.06.2013, without any delay, and the same was done in the presence of the husband of the petitioner. The official concerned, after checking the meter, found that the meter was working perfectly, however, the petitioner was not satisfied, and thereafter, she deposited the necessary amount



for change of the meter. Thereafter, on dated 23.06.2013, MCO was issued, and a new meter was installed at the property of the petitioner, and the old meter was sent to the M.E. Lab, for checking, which was checked on dated 23.10.2013, and nothing wrong was found with its functioning, and it was found to be working well within its admissible limit. It was further mentioned that the husband of the petitioner was present, at the spot, when the meter was checked in the M.E. Lab, and the report also carries his signatures.

4. Considering the submissions made by the petitioner, the Permanent Lok Adalat concerned, did not find any merit in the application so preferred by the petitioner, and the same was accordingly dismissed, by passing the impugned award.

5. Learned counsel for the petitioner while drawing attention of this Court, towards the consumption pattern of the meter, installed at the property of the petitioner, submits that it is clearly reflected that the meter was not working properly, rather it reflects that the said meter was giving abrupt reading. The consumption pattern of the meter, in a tabulated form, is extracted hereinafter :-

Bill No.	Dated	Units Consumed
51211	15.11.2011	42
52930	16.12.2011	121
54658	13.01.2012	120
58122	15.03.2012	19
61573	12.05.2012	938
63296	15.06.2012	309
65021	22.07.2012	1538
66746	15.08.2012	159
68473	14.09.2012	101

**CWP-28022-2017****4**

6. Further, attention of this Court is also drawn towards the consumption pattern of the year 2013, to submit that the demand raised by the respondent-PSPCL, is in fact, on the very higher side and beyond the consumption.

7. On the other hand, the learned counsel for the respondent-PSPCL, submits that the meter of the petitioner was duly sent for checking to the M.E. Lab, on the request of the petitioner, and the same was found completely in order, rather the instant application filed before the Permanent Lok Adalat concerned, was without waiting for the report of the M.E. Lab, and the meter was checked in the presence of the husband of the petitioner, and the report also carries his signatures. He further submits that in order to substantiate the claim, there is no substantive evidence, therefore, to conclude that the meter was showing the abrupt reading.

8. This Court has considered the submissions made by the learned counsel for the parties concerned, and does not find any merit in the instant petition, for the reasons that on the request of the petitioner, the old meter was duly replaced, and the old meter was sent for checking to the M.E. Lab, on dated 23.10.2023, which was duly checked in the presence of the husband of the petitioner, and this fact is proved as the report of the lab carries signature of the husband of the petitioner. The experts of the M.E. Lab, do not find any malfunction in the old meter. The respondent-PSPCL, has duly proved that the disputed bill has been raised on account of the actual consumption, and not due to jumping of the meter. This issue has been aptly considered by the Permanent Lok Adalat concerned, therefore, the award, which is impugned before this Court, does not require any interference.



9. At this stage, learned counsel for the petitioner informs this Court that the petitioner has submitted a fresh application before the Dispute Settlement Committee, and therefore, the petitioner will be given liberty to deposit the disputed bill amount, only after the decision of the Dispute Settlement Committee.
10. This Court has no objection, in case, the application, which is preferred before the Dispute Settlement Committee, is decided as per the law. However, so far as the impugned award is concerned, this Court does not find any illegality or perversity, requiring any interference of this Court.
11. Consequently, the instant writ petition is **disposed of** accordingly.

(KULDEEP TIWARI)
JUDGE

January 27, 2025
Manpreet

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