



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

CWP-19475-2025

Date of decision: 15.07.2025

Pooja Moun

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Deepak Singh Saini, Advocate, with
Ms. Vibha Nagar, Advocate, and
Ms. Vamika Johar, Advocate,
for the petitioner.

Mr. Bhupender Singh, Advocate,
for respondents No.2 to 4.

KULDEEP TIWARI, J (Oral)

1. Through the instant petition, a challenge is thrown to the order of assessment dated 03.07.2025 (P-2), passed by the distribution licensee under Section 135 of Electricity Act, 2003 (For short, "the Act"), for the offence of theft of electricity committed by the petitioner, wherethrough, the petitioner was required to deposit Rs.5,33,190/-, as penalty.

2. Learned counsel for the petitioner has made an endeavour to challenge the legality of assessment order (supra), on the ground that no prior notice was issued to the petitioner, before conducting raid in his premises. He further submits that the petitioner is ready and willing to deposit 50% of the amount, as imposed upon her. Further, by referring to the Regulation 33 to the Haryana Electricity Regulatory Commission (Electricity Supply Code), 2014, and Section 126 of the Act, he submits that both the provisions, lays down mandatory compliance for issuing a



provisional assessment order, and opportunity of hearing to the person(s) affected, before any punitive action.

3. No other arguments have been raised before this Court.

4. This Court has considered the submissions made by the learned counsel for the petitioner, and finds no merits in the same. Learned counsel for the petitioner had placed misplaced reliance upon the provisions of Section 126 of the Act, and the Regulation 33 of the Electricity Supply Code (supra). In the instant case, the assessment notice issued under Section 135 of the Act, against the petitioner, and it is not expected from the distribution licensee concerned to provide an opportunity of hearing to any consumer, before checking the premises. Further, the prayer of the petitioner to deposit 50% of the imposed penalties, for compounding the offence, is not acceptable, as the petitioner is required to deposit the entire amount, within 48 hours from the date on which the notice was served upon her.

5. The learned counsel for the petitioner is unable to point out any illegality, or perversity in the assessment order (supra), therefore, this Court finds no reason to interfere with the same.

6. The instant petition is **dismissed**. However, the petitioner is at liberty avail the alternate remedy, as available under the law.

(KULDEEP TIWARI)
JUDGE

15.07.2025
deepak

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