



-1-

217

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

CWP-8957-2021

Date of decision:-18.08.2025

Janta Land Promoters Private Ltd.

...Petitioner

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sunish Bindlish, Advocate and
Mr. Viney Kumar, Advocate
for the petitioner.

Mr. Rakesh Roy, Advocate for
Mr. Abhilaksh Gaind, Advocate
for the respondents (THROUGH V.C.)

SUVIR SEHGAL, J.(ORAL)

1. By way of instant petition filed under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of certiorari for quashing orders dated 24.10.2019, 02.06.2020 and 21.08.2020, Annexures P4, P6 and P8, respectively. A further prayer has been made for issuance of a writ in the nature of mandamus directing respondent No.6 to issue a revised bill for the entire period under dispute by applying the correct multiplication factor.

2. The genesis of the dispute is the allotment of an electricity connection to the petitioner with approved load of 89.99 KW. A meter



-2-

217

was installed in STP in Sector 90-91 Mohali with CT ratio 200/5. Bills prior to 19.05.2015 were sent by Punjab State Power Corporation Limited (PSPCL) considering CT ratio as 100/5. As a result, a multiplication factor of '1' was being applied instead of 0.5. Claiming that a wrong multiplication factor has been applied and that the petitioner has been charged twice, petitioner filed a complaint and sought adjustment of the excess amount paid for the period from November, 2011 to March, 2015. Sub Divisional Officer, PSPCL, Sohana, corrected the bill and gave credit for last six months i.e. from October, 2014 to March, 2015 to the petitioner vide bill, Annexure P2. Petitioner approached the Chief Engineer South, PSPCL, Patiala vide letter dated 14.03.2019, Annexure P3, for refund of excess amount from November, 2011 to September, 2014, but request was rejected by the Zonal Refund Committee vide order dated 24.10.2019, Annexure P4, in view of the decision rendered by this Court on 20.09.2018, Annexure P9, in CWP-2539-2017 titled as *Surinder Kaur Versus Ombudsman, Electricity, Punjab and others*. Petitioner approached the Consumer Grievances Rederessal Forum (for short "the forum") by filing a petition, which was adjourned sine die vide order dated 02.06.2020, Annexure P6 to await the decision in LPA-7732-2018 arising out of a judgment, Annexure P9. Appeal preferred by the petitioner was dismissed by Ombudsman, Electricity, Punjab vide order dated 21.08.2020, Annexure P8.

3. Mr. Sunish Bindlish, Advocate has contended that the forum



-3-

217

has erred in adjourning the proceedings sine die and has failed to appreciate that the facts of the writ petition were totally different. He states that although the LPA has been dismissed for non-prosecution and an application for restoration has been filed, but its decision either way would not have any impact on the adjudication of the petition pending before the forum.

4. On the other hand, counsel for the respondents states that petitioner was to be billed with the multiplication factor of 0.500, but for the period from November, 2011 to March, 2015, billing was done at a multiplying factor of 1.000. Upon coming to know of this discrepancy, the account was overhauled giving credit to the petitioner for the excess amount charged from him for last six months. By referring to the Supply Code, 2014, he has contended that the petitioner is not entitled for the refund for the earlier period and a similar issue was raised before this Court, which has been adjudicated vide judgment, Annexure P9.

5. I have heard counsel for the parties and considered their respective submissions besides examining the documents appended with the paper-book.

6. It is not in dispute that the petitioner has sought refund of the excess amount charged by filing a petition before the forum, which has been adjourned sine die vide impugned order, Annexure P6, to await the decision of the LPA. This order has been affirmed by the Ombudsman vide impugned order, Annexure P8. The sole question to be



-4-

217

determined at this stage is that whether the dispute in LPA-7732 of 2018 is similar to the one raised by the petitioner.

7. Judgment dated 20.09.2018, Annexure P9, passed by the writ Court has been examined. Surinder Kaur, petitioner therein, had raised a grievance that she had an electricity connection with a load of 97.750 KW. During an inspection, it transpired that a multiplying factor of '1' was being applied instead of multiplying factor of '2' and a demand notice was issued directing the deposit of more than Rs.15 lakhs after correcting the error. Assailing the demand notice, Surinder Kaur filed CWP-2539-2017. After noticing that the Supply code, 2014 had come into effect w.e.f. 01.01.2015, a coordinate Bench of this Court held that respondent can charge and recover the amount from the petitioner therein only w.e.f. 01.01.2015. Writ petition was disposed of by directing the respondents to generate a fresh bill within a period of two weeks. This judgment has been challenged by the PSPCL by filing LPA-7732-2018. An examination of the factual dispute before the Court in Surinder Kaur's case (supra) shows that the grievance of the petitioner pertained to demand of excess amount made on account of applying a lower multiplier factor. On the other hand, the dispute in the instant petition is for refund of the excess amount charged by the respondents on account of the application of a higher multiplier. The factual position in both the cases is totally different and distinct. The decision in Surinder Kaur's case (supra) will not have any impact on the grievance raised by the petitioner in the present petition. The impugned orders, Annexure P6 and



-5-

217

P8, passed by the authorities therefore cannot be sustained.

8. For the reasons recorded above, petition is disposed of. Orders dated 02.06.2020, Annexure P6 and order dated 21.08.2020, Annexure P8, are set aside. Matter is remitted to the forum, which will decide the petition preferred by the petitioner as expeditiously as possible.

9. Parties are directed to appear before the Forum on 25.09.2025 at 10:00 a.m. for further proceedings in accordance with law.

(SUVIR SEHGAL)
JUDGE

18.08.2025
Brij

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