



CWP-25467-2025 (O&M)

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

(109)

CWP-25467-2025 (O&M)
Date of decision:- 30.10.2025

PUNJAB STATE POWER CORPORATION LIMITED AND ANOTHER**... PETITIONERS****VERSUS****JANAK RAJ AND ANOTHER****... RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Ms. Raina S. Thakur, Advocate
for the petitioners.

SUVIR SEHGAL, J. (ORAL)**CM-15848-CWP-2025**

1. Application is allowed, as prayed for.
2. Annexures P-10 and P-11 are taken on record.

Main case

3. Petitioners are aggrieved of award dated 17.01.2025, Annexure P-1, passed by Permanent Lok Adalat, Public Utility Services, Sangrur (for short "the Lok Adalat") under Section 22-C of the Legal Services Authorities Act, 1987.
4. Facts, in brief, are that respondent No.1 approached the Lok Adalat by filing a petition, Annexure P-11, stating that she is running a brick kiln and is drawing electricity from account bearing No. CH62-433 issued by the Punjab State Power Corporation Limited (PSPCL)-petitioners. She stated that a demand notice dated 08.10.2018, Annexure P-5, was served upon her to deposit

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Rs.3,48,295/- on the basis of an audit conducted without associating her and without providing her with an opportunity of hearing. She stated that the demand was challenged by filing a petition under Section 153/154 of Electricity Act, 2003 before the Special Court, but by judgment dated 13.05.2019, Annexure P-6, Special Court held that petition was not maintainable and granted liberty to approach the appropriate forum. Petition, Annexure P-11, has been contested by the petitioners by filing a reply. When efforts to settle the dispute could not fructify, Lok Adalat passed the impugned award, Annexure P-1, setting aside the demand notice and directing the petitioners to refund deposited amount or to adjust it against future electricity charges.

5. Counsel for the petitioners has contended that the electricity meter of respondent No.1 was burnt and was replaced on 22.11.2016. Meter was sent to meter equipment laboratory (M.E. laboratory) and was inspected. It was found that there was a difference in consumption of electricity to the tune of 41064 units and on overhauling the account by the audit, notice, Annexure P-5, was issued demanding an amount of Rs.3,48,295/-. She states that after the dismissal of the petition by the Special Court, electricity connection was disconnected due to non-payment on 21.06.2019, Annexure P-7. Respondent No.1 approached the Lok Adalat and in compliance of order dated 28.05.2019, Annexure P-8, passed by the Lok Adalat, respondent No.1 deposited Rs.1,74,295/- and electricity connection was restored. Counsel contends that Lok Adalat has failed to appreciate the regulations framed by the PSPCL and impugned award deserves to be set aside.

6. I have given a thoughtful consideration to arguments addressed by



counsel for the petitioners and examined the documents referred to by her.

7. Clause 21.3.6 of Supply Code, 2014 provides for testing of inaccurate meters. Sub Clause (e) thereof, which is relevant for the purposes of the adjudication of the instant petition, is reproduced hereunder:-

“(e) In case of testing of a meter removed from the consumer premises in the licensee’s laboratory, the consumer would be informed of the proposed date of testing through a notice at least three (3) days in advance. In such cases, the seals shall be removed/ broken in the presence of the consumer or his/her authorised representative and testing undertaken in the laboratory of the distribution licensee or any accredited laboratory within fifteen (15) days from the date of removal of meter from consumer’s premises. However, such testing can be carried out by the distribution licensee in the absence of consumer if he/she fails to associate with testing even after issue of two registered reminders or he/she gives his/her written consent for such testing without his/her presence. The signature of the consumer, or his authorized representative, if present, would be obtained on the test results sheet and a copy thereof supplied to the consumer. If the meter is found to be inaccurate or tampered, the same shall be re-packed & sealed and kept in safe custody till disposal of case in order to preserve evidence.”

8. A bare perusal of the above reproduced regulation shows that the testing in M.E. laboratory or any other accredited laboratory has to be carried out in the presence of the consumer for which purpose a prior notice has to be issued to the consumer. The regulation mandates that the testing has to be done within 15 days from the date of removal of the meter and it can be done in the absence of the consumer, in case, he/she does not associate with the testing despite serve of notices upon him/her. The regulation further stipulates that seals of the packaging of the meter shall be opened in the presence of the consumer or his/her representative.

9. In so far as the present case is concerned, it is admitted that burnt meter was replaced on 22.11.2016 by a new meter. Old meter was sent to M.E.



laboratory on 19.01.2017. There is no material on the record to show that the meter was ever packed at the time of removal or checked in the presence of the consumer. Counsel for the petitioners has not been able to make a reference to any notice served upon respondent No.1 prior to the checking of the meter in the laboratory. Even the time frame of 15 days for checking, from the date of removal, has not been adhered to by the petitioners. Furthermore, demand has been raised on the basis of an audit note. However, respondent No.1 was neither associated with the audit nor was she ever served with the audit report in order to enable her to file objections thereto. Such a demand, therefore, is clearly unsustainable and Lok Adalat has rightly set aside the same vide award, Annexure P-1. There is no ground to interfere with the award passed by the Lok Adalat, which is based on sound reasoning.

10. Finding no merit in the writ petition, it is dismissed with no order as to costs.

(SUVIR SEHGAL)
JUDGE

30.10.2025
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No