



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

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113

**CWP-6050-2026**

**Date of Decision: 11.05.2026**

BHAI GURDAS PUBLIC SCHOOL

...Petitioner

Versus

PUNJAB STATE POWER CORPORATION LIMITED  
& OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Sukhandeep Singh, Advocate for petitioner

Mr. Aditya Sharma, Advocate  
For respondent Nos. 1 to 4

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**JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of provisional assessment order dated 12.11.2009, order dated 24.04.2010 passed on review application and order dated 09.06.2015 passed by appellate authority.

2. The respondent-PSPCL on the basis of inspection report dated 31.10.2009, vide order dated 12.11.2009 framed provisional assessment under Section 126 of Electricity Act, 2003 (for short '2003 Act'). The respondent raised demand of Rs.2,00,124/-. The petitioner preferred objections and respondent vide order dated 24.04.2010 rejected its representation. The petitioner preferred appeal under Section 127 of 2003 Act after depositing 50% of demand. The appellate authority vide order dated 09.06.2015 rejected its appeal. The petitioner approached Special Court constituted under Section 153 of 2003 Act which returned its petition



vide order dated 04.05.2023. It filed civil suit which has been dismissed as withdrawn vide order dated 17.04.2025. The suit was dismissed as withdrawn with liberty to approach appropriate authority.

3. Learned counsel for the respondent-PSPCL on instructions from Mr. Parvesh Saini, SDO, Fatehgarh Churian submits that it was a case of theft, however, inadvertently order was passed under Section 126 of 2003 Act and that too provisional assessment order. The respondent may be granted liberty to pass fresh order in accordance with law.

4. Heard the arguments and perused the record.

5. From the perusal of record, it is evident that due to lack of clarity, the petitioner approached multiple authorities which were not competent to adjudicate the matter. The stand of respondent is also self-contradictory. In these circumstances, this Court finds it appropriate to set aside the impugned orders with liberty to respondent to pass fresh order in accordance with law. The authorities while passing order shall keep in mind judgment passed by this Court in ***“Rattan Singh Vs. State of Haryana & Ors.”***, ***LawFinder Doc ID #2869383***.

6. Disposed of.

7. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)  
JUDGE

11.05.2026  
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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |