



131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2818-2026

Date of Decision: 30.03.2026

H.P. HIRA FUELS

...Petitioner

Vs.

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD. & ANR

...Respondents

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. Aseem Aggarwal, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present revision petition has been filed seeking modification of the order passed by the learned Special Court constituted under the Electricity Act, 2003, Gurugram, whereby the petitioner was directed to deposit the entire assessed amount. The direction was issued on the ground that the petitioner is a licensee of the respondent and that an electricity connection had been issued in the petitioner's name.

2. It is submitted that the petitioner's electricity connection was disconnected, presumably on 03.07.2018, following an inspection carried out at the petitioner's premises. The petitioner came to know about the disconnection on 09.07.2018, upon which he immediately approached the Civil Court by filing a civil suit. The Civil Court, after examining the circumstances, ordered restoration of the electricity connection, subject to the petitioner depositing 40% of the provisional assessed amount along with 100% of the compounding charges. The petitioner complied with the Civil Court's order and deposited the amounts accordingly, as evidenced by the receipt dated 13.07.2018.

3. Subsequently, the civil suit was dismissed on merits, and when an appeal was filed against the trial court's judgment, it was dismissed in view of the Division Bench judgment of this Court in ***Mahesh Kumar Vs. SDO & Another, RSA-4181-2016***, vide order dated 14.05.2025. Thereafter,



the petitioner once again approached the Special Court, Gurugram, the competent authority under the Electricity Act. By the impugned order, the learned Special Court directed the petitioner to deposit the entire assessed amount.

4. The petitioner has therefore approached this Court seeking a direction to restrict the condition for non-disconnecting the connection subject to payment of 40% of the assessed amount, which has already been paid as per the Civil Court's orders dated 13.07.2018.

5. Considering the facts and circumstances of the case, and in the interest of justice, equity, and fairness, it is observed that the petitioner has already complied with the directions of the Civil Court and has made substantial payments. Requiring payment of the entire assessed amount at this stage would be inequitable and burdensome.

6. Accordingly, the present revision petition is disposed of with the following directions: the learned Special Court constituted under the Electricity Act, 2003, Gurugram, is directed to modify the impugned order and reduce the amount of deposit to 50% of the assessed amount, taking into account the payments already made by the petitioner. All other terms and conditions of the impugned order shall remain unchanged. The Special Court shall ensure that this adjustment is properly reflected in the records and provide the petitioner with an appropriate receipt for compliance.

(VIRINDER AGGARWAL)
JUDGE

30.03.2026

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