



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

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CWP-11836-2026**Date of Decision: 21.04.2026**

RASHID AHMED

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Varun Singh Dhanda, Advocate and
Ms. Yamini Nain, Advocate for the petitioner

Mr. Deepak Vashisht, DAG Haryana

Mr. Ravish Kaushik, Advocate for respondent-DHBVN

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of assessment order dated 28.08.2012 and recovery notice dated 11.03.2026 issued by SDO, DHBVN, Tauru-respondent No.5. He is further praying that impugned assessment order and recovery notice may be stayed.

2. The respondents on 28.08.2012 raised demand of electricity charges of Rs.1,39,938/-, along with compounding fees of Rs.50,000/- besides an additional amount of Rs.3,225/- against the petitioner for alleged theft of electricity. His electricity connection was restored after he made payment under protest. He filed a civil suit before learned Civil Judge (Junior Division), Gurgaon who vide order dated 29.01.2014

dismissed the same. He filed an appeal before learned District Judge, Gurgaon who vide judgment dated 18.12.2014 set aside order dated 29.01.2014 and directed the respondents to refund the recovered amount. Respondents preferred *RSA-3125-2015* before this Court. During the pendency of appeal before this Court, petitioner applied for the execution of decree dated 18.12.2014. The execution application was allowed pursuant to which respondents released a sum of Rs.3,41,889/- vide cheque No.072505 dated 05.08.2025. This Court vide order dated 01.12.2025 allowed the aforementioned RSA and set aside the decree dated 18.12.2014. The petitioner was granted liberty to take recourse to appropriate remedy. The respondents vide recovery notice dated 11.03.2026 has directed the petitioner to refund the aforesaid amount. He approached this Court by way of *CWP-10309-2026* which vide order dated 06.04.2026 was dismissed with liberty to file afresh with better particulars.

3. Learned counsel for the parties are *ad idem* that impugned order may be set aside with liberty to pass fresh order in view of judgment of this Court in “*Rattan Singh Vs. State of Haryana & Ors.*”, **LawFinder Doc ID #2869383**.

4. Disposed of in terms of *Rattan Singh (supra)*.

5. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

April 21, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No