



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

(i) CWP-16453-2026 (O&M)

PSPCL and others

...Petitioners

VERSUS

Baljit Singh and others

...Respondents

(ii) CWP-16473-2026 (O&M)

PSPCL and others

...Petitioners

VERSUS

Jagsir Singh and others

...Respondents

Date of decision: May 26, 2026

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present: Mr.Vansh Malhotra, Advocates
for the petitioners.

ARCHANA PURI, J.

These are two writ petitions filed to seek quashing of the orders dated 28.09.2023, 03.12.2024 and 31.10.2025 passed by District Consumer Disputes Redressal Commission, State Consumer Disputes Redressal Commission and National Consumer Disputes Redressal Commission, whereby, the applications for condonation of delay were dismissed and consequently, the second appeals were dismissed in limine.

**CWP-16453-2026 and connected case****-2-**

Respondent(s)/complainant(s) No.1, in both the petitions, had filed complaints under Section 35 of the Consumer Protection Act, 2019, before the Commission against the Punjab State Power Corporation Limited (PSPCL), on the assertions that the complainant(s) applied for the tubewell connection of 10 BHP with PSPCL, under Chairman discretionary quota. The requisite formalities were furnished for the same and the respective applications of the complainant(s) were referred by Deputy CE/DS Circle, PSPCL, Bathinda to ASE/Sales-V, CE/Commercial, PSPCL, Patiala and in pursuance of the same, the connection was sanctioned to the complainant(s) under Chairman discretionary quota and demand notice was issued to the complainant.

Further, it is also averred that the complainant(s) had deposited a sum of Rs.22,000/- with PSPCL on 03.01.2017 against proper receipts and had furnished the complete formalities. The opposite parties had assured the complainant(s) to release the tubewell connection, at the earliest possible. However, the connection has not been released to the complainant(s), although, period of 4¾ years have already lapsed. Due to non-release of the tubewell connection, the complainant(s) are suffering from great mental tension, agony, botheration, harassment and also loss of income, as the complainant(s) are unable to irrigate their fields properly.

On the other hand, PSPCL made appearance and had taken the stand that the complainant(s) failed to complete formalities for the connection, as per the Electricity Act, Rules as well as the Sales Manual Instructions of PSPCL. However, it is admitted that the complainant(s) had applied for tubewell connections under Chairman discretionary quota and only deposited Rs.22,000/-. Further, it is also asserted that Model Code of

**CWP-16453-2026 and connected case****-3-**

Conduct had come into force, from the date of pronouncement of elections from 04.01.2017 and the election process was completed on 15.03.2017 and no demand notice could be issued as on 03.01.2017.

Furthermore, it was asserted that it was gratuitous act i.e. Chairman's discretionary quota and the opposite party/PSPCL has the prerogative to withdraw, rescind, status quo the policies and thus, impliedly, the PSPCL has rescinded/amended/status quo the policy of Chairman quota.

The District Consumer Disputes Redressal Commission, after taking into consideration the respective submissions of the parties and the material brought before it, had observed that it is not disputed that the complainant(s) had applied for the release of the tubewell connections under Chairman discretionary quota, on priority basis. The requisite amount was also deposited. It was observed that it was not the claim of PSPCL that complainant(s) had not fulfilled the conditions.

The only plea taken by them is that on 04.01.2017, Model Code of Conduct was imposed, due to the elections and thereafter, on 11.01.2017, the Government of Punjab, imposed status quo on all the pending applications in any category, till further orders and as such, thereafter, no demand notice was issued to any person.

Considering the material brought on record, it was concluded by the District Consumer Disputes Redressal Commission that the complainant(s) had completed all the formalities prior to 04.01.2017 and had deposited the amount, as per the directions of the opposite party. In these circumstances, the opposite party i.e. PSPCL, cannot deny the tubewell connection to the complainant(s), while taking excuse of the ban imposed by the Government.

**CWP-16453-2026 and connected case****-4-**

Since, the complainant(s) had applied for the connection, prior to 11.01.2017, as such, the directions of the Government of Punjab, issued on 11.01.2017, are in no way, applicable to the case of the complainant(s) and complainant(s) were held to be fully entitled to electric tubewell connection and the opposite party i.e. PSPCL has no right to deny the same.

Considering the same, the complaints were partly accepted and the opposite parties were directed to release the electric tubewell connection under the Chairman discretionary quota, as already sanctioned/allowed to the complainant(s), after preparation of estimate to deposit actual expenditure.

Being aggrieved, PSPCL, had filed first appeal before the State Consumer Disputes Redressal Commission and the same was also dismissed vide order dated 03.12.2024. Still not satisfied, PSPCL had filed the petition before National Consumer Disputes Redressal Commission to assail the order and along with the same, an application was also filed for seeking condonation of delay of 267 days.

However, considering the application for condonation of delay, it was held by the National Consumer Disputes Redressal Commission that PSPCL have not been able to provide adequate and sufficient reasons, which prevented them to approach this Commission, within the limitation and consequently, vide order dated 31.10.2025, it was held that PSPCL failed to show sufficient cause for such undue delay, in filing the appeals and as such, the applications filed for seeking condonation of delay were disallowed and consequently, the petitions filed were also dismissed.

Learned counsel for the petitioners, while assailing the impugned orders submits that the requisite orders, which are under challenge

**CWP-16453-2026 and connected case****-5-**

now, were passed without appropriate appraisal of the relevant facts and no right had accrued, in favour of the respondent(s)/complainant(s), to justify release of connection, in their favour. In any case, Model Code of Conduct was imposed in the year 2017 and subsequently, none of the complainant(s) have come to deposit the complete amount, in respect of the tubewell connections.

As observed aforesaid, the Model Code of Conduct, came into effect, after the formalities, as such, were completed by the complainant(s) and when all the formalities had been completed prior to 04.01.2017 and the amounts were deposited, it is not within the purview of the present petitioners to refrain from releasing the electric tubewell connections under the Chairman discretionary quota, as held by the District Consumer Disputes Redressal Commission, which has also further received the seal of approval by the State Consumer Disputes Redressal Commission. Even though, the requisite order was challenged further before National Consumer Disputes Redressal Commission, but however, the application for condonation of delay of 267 days, was appropriately considered by the National Consumer Disputes Redressal Commission.

Though, it is asserted that delay was of 267 days, but however, no sufficient reason to seek condonation of delay, as such, had come forth. It is only stated to be due to bonafide error/misconceived notion that the proceedings were erroneously initiated and correct remedy was filing of the second appeal.

The assertion, so made, is too vague and precisely considering the same, it has been correctly observed by the National Consumer Disputes Redressal Commission that the petitioners failed to show sufficient cause of



CWP-16453-2026 and connected case

-6-

action for such undue delay in filing the petitions and on this account, the applications were dismissed, which led to the consequential dismissal of the petitions bearing No.716 and 717 of 2025.

Considering the same, when consistent findings, as such, have been returned in favour of the complainant(s) and the scope for interference in the writ petitions, as against the orders passed by the various authorities in hierarchy, being limited, there is no justifiable ground to interfere with the impugned orders.

Hence, both the writ petitions sans merit and the same are hereby dismissed.

(ARCHANA PURI)
JUDGE

May 26, 2026
Vgulati

(RAMESH KUMARI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No