

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 13 of 2021
alongwith IA No. 14 of 2021
Date of Hearing: 14.07.2021
Date of Order: 16.07.2021

Petition under Section 43 of the Electricity Act, 2003 read with Regulation 5.1 of the Supply code, 2014 and other relevant rules and regulations as approved by Hon'ble Commission including 68, 69, 70, 71 and 72 and other relevant provisions of Chapter XIII of the Conduct of Business Regulations 2005 as amended up to date and the provisions of the Electricity Act, 2003 for directing the Respondents to render respective Domestic Supply Electricity connection to the Petitioners for their residential houses in the colony-Sunny Enclave.

AND

For passing any other relief in favour of the Petitioner as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

In the matter of: Ranjit Kaur & Ors.

Petitioners

Versus

1. Punjab State Power Corporation Ltd. (PSPCL), having its office at the Mall, Patiala, through its Chairman-Cum-Managing Director.
2. Chief Engineer (Commercial), The Mall, Patiala.
3. Superintending Engineer/DS, PSPCL, Near Bus Stand, Patiala.
4. Executive Engineer, (DS), PSPCL, Patiala.
5. Assistant Executive Engineer, PSPCL, Sanaur, Patiala.
6. Bajwa Developer Limited, Main office Sunny Business Centre, 5th Floor, New Sunny Enclave, Greater Mohali, Punjab.

Respondents

Present: Sh. Viswajeet Khanna, Chairperson
Ms. Anjali Chandra, Member
Sh. Paramjeet Singh, Member

Petitioner: Sh. Aditya Grover, Advocate

PSPCL: Sh. Gurchain Singh Banga, CE/ARR&TR
Sh. Arun Kumar Gupta, Dy.CE
Sh. Deepak Gupta, SE/TR-2
Sh. Mukesh Kumar, ASE/TR-5
Sh. Baljinder Pal Singh, AE/TR-5
Sh. Hitesh Gupta

PDA: Sh. G.S. Chahal, ASE, East
Sh. Surinder Mohan Chopra, S.E/DS Patiala
Sh. Ajay Arora, ACA, Patiala
Sh. Yogesh Kumar, Patiala

ORDER

PSPCL was directed vide order dated 04.05.2021 to Order an enquiry and submit the action taken report within one month. PSPCL has filed interim enquiry report but detailed enquiry report and action taken report, as directed by the Commission, is yet to be filed by PSPCL. PSPCL is directed to file the same without any delay. Vide order dated 16.06.2021, the Developer was impleaded as a respondent in the petition however, no one has appeared on behalf of the Developer. Therefore, last opportunity is granted to the Developer to appear before the Commission and file its reply to the petition failing which adverse inference would be drawn and proceedings in accordance to Regulations would be initiated.

On a query by the Commission to PSPCL as to why action has not been taken against the developer for the recovery of the electricity bills, PSPCL stated that Patiala Development Authority (PDA) has given undertaking to ensure that developer will clear its electricity dues towards PSPCL and would ensure the completion of L.D system. On the contrary PDA disputed the statement given by PSPCL and requested for time to file its reply. PDA is directed to submit its reply to the petition alongwith its submission regarding the ibid undertaking mentioned by PSPCL during hearing. Further, PSPCL is directed to submit the current status of the payment made by the developer against the outstanding amount of electricity bills alongwith the pending dues against the developer for electricity bill(s).

PSPCL also submitted a copy of the judgment dated 07.04.2020 passed by the Hon'ble High Court of Punjab and Haryana in case of M/s Impact Projects Private Ltd. & Anr. Vs PSPCL & Ors. that all the development work is to be completed by the developer and only then PSPCL is liable to provide the electricity connections. The contention of PSPCL has been disputed by the learned counsel for the petitioner. The learned counsel for the petitioner submitted that the judgment cited by PSPCL is not attracted to the facts of the present case and that the residents of the colony in question are ready to takeover the common services of the colony. The petitioner may file its reply in this regard on affidavit alongwith its comments on the judgment submitted by PSPCL.

The petition shall be taken up for hearing on 20.07.2021 at 11.00 AM.

Sd/-
(Paramjeet Singh)
Member

Sd/-
(Anjuli Chandra)
Member

Sd/-
(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: 16.07.2021