

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

104

CWP-18573-2024 (O&M)

Date of Decision : April 25, 2025

AMIT AND ANOTHER

-PETITIONERS

V/S

**PUNJAB STATE POWER CORPORATION LIMITED AND
OTHERS**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. J.S. Thind, Advocate
for the petitioners.

Mr. Jatinder Singh Gill, Advocate
for the respondents No.1 to 6/distribution licensee.

Mr. Om Malhan, Advocate
for the respondents No.7 to 16.

KULDEEP TIWARI, J. (ORAL)

CM-6034-CWP-2025

1. As prayed for, the instant application is **allowed**. Annexures P11 and P12 are ordered to be taken on record.

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2. Through the instant writ petition, prayer is made for issuance of directions upon the official respondents to shift the 200 KVA K/F transformer installed in front of the petitioners' house to some other place.

3. When the instant writ petition came up for hearing on 12.03.2025, this Court had, taking into account the fact that, the petitioners have already deposited the requisite amount, directed the distribution licensee to explore the possibility of shifting the transformer, whereupon, the learned counsel for the distribution licensee rendered an assurance that,

the transformer would be shifted to a suitable place within a week therefrom. The order dated 12.03.2025 is reproduced hereunder:-

“It is not in dispute that even the revised amount, as demanded by the distribution licensee concerned, has been deposited by the petitioners, for shifting the transformer to the common area place. However, the shifting of the said transformer has not been made, as on date.

Learned counsel for the respondents-distribution licensee concerned, submits that he needs one weeks’ more time to perform their duty, specifically, when the petitioners have already deposited the revised amount.

The asked for request is accepted.

List this matter on 24.03.2025.

The requisite information from the distribution licensee concerned, shall be supplied to this Court, by filing apt affidavit, on or before the next date of hearing.

To be shown in the urgent list.

It is made clear that on the next date of hearing, no request for an adjournment on behalf of either of the parties concerned, shall be entertained.”

4. However, on the next date of hearing, i.e. 24.03.2025, it was informed to this Court that, owing to resentment by members of the locality, the distribution licensee could not shift the transformer. It was also assured that, they are still exploring the possibility of locating a common and undisputed site for shifting of the transformer. Resultantly, on account of the assurance (supra), the matter was adjourned for today.

5. Today, the learned counsel for the distribution licensee has informed this Court that, decision has been taken to uproot the transformer installed in front of the petitioners’ house and also to upgrade the other existing transformers in the locality, subject to the petitioners, within a

week, making payment of the requisite demanded amount. He assures that, in case the petitioners make payment of the requisite demanded amount within a week, the task of uprooting the transformer installed in front of their house, and, of upgrading the other existing transformers in the locality will be carried out within 10 days thereafter.

6. The learned counsel appearing for the respondents No.7 to 16 has also filed written reply, which is taken on record. Moreover, he has, on behalf of the respondents concerned, extended “No Objection” for uprooting and upgradation of the transformers concerned.

7. The learned counsel for the petitioners submits that, although the new demand raised by the distribution licensee is arbitrary, erroneous and without any basis, yet the petitioners are ready to deposit the said amount under protest.

8. Be that as it may, (i) since the main grievance of the petitioners is redressed inasmuch as the distribution licensee is ready to, subject to the petitioners making the requisite payment, uproot the transformer installed in front of their house and also to upgrade the other existing transformers in the locality; (ii) the dispute raised by the petitioners’ counsel with regard to the new demand raised by the distribution licensee is outside the scope of the instant writ petition; hence this Court deems it appropriate to dispose of the instant writ petition with the direction that, in case, the petitioners deposit the requisite payment within a week from today, the distribution licensee shall, within ten days thereafter, uproot the transformer installed in front of their house and also upgrade the other existing transformers. Moreover, liberty is also reserved to the petitioners to, in case they have any

grievance with the new demand raised by the distribution licensee, approach the Consumer Grievance Redressal Forum concerned.

9. Disposed of accordingly.

April 25, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No