

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No. 18297 of 2002

Date of decision : 28.02.2011

Punjab State Electricity Board, The Mall Patiala

.....Petitioner

versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Mr. Deepak Sabharwal, Advocate
for the petitioner.

Mr. R.S. Rawat, A.A.G., Punjab
for respondent Nos. 1 & 2

Ms. Naiya Gill, Advocate
for respondent No. 3

Mehinder Singh Sullar, J. (Oral)

Learned counsel for the parties are *ad idem* that the controversy involved in the present writ petition, is squarely covered and deserves to be disposed of in terms of a Division Bench judgment of this Court dated 29.08.2006 rendered in CWP No. 18961 of 2005 titled as **Punjab State Electricity Board and another** v. **House Tax Sub Committee Municipal Council, Batala and others**, the operative part of which is as under:-

“In view of undertaking given by the State counsel, this writ petition is disposed of with a direction to the State of Punjab to constitute a Committee, within one month, as referred to above. The petitioners shall approach the said Committee within two weeks thereafter. Till final decision is taken up by the that Committee, it is directed that the house tax assessed, be not recovered from the petitioners. It is made clear that if the matter is decided against the petitioners by the aforesaid Committee, the petitioners shall pay the amount of tax alongwith 8% simple interest per annum”.

The learned counsel for the respondents reiterated that the committee

constituted, in pursuance of the aforesaid order is still in existence and is considering such matters.

In this view of the matter and after hearing the learned counsel for the parties, going through the record, with their valuable assistance and after considering the entire matter deeply, the instant writ petition is accepted. Consequently, the impugned orders (Annexures P4 & P6) are hereby quashed. The matter is remitted back to the committee, in terms of the judgment, rendered by this Court in Punjab State Electricity Boards case (supra).

(Mehinder Singh Sullar)
Judge

February 28, 2011
G.Arora