

Ranbir Versus SDO UHBVN and another

Present: Shri Deepak Seth, Advocate for plaintiff.
Shri Charanjeet Walia, Advocate for defendants.

Case received by way of transfer. It be checked and registered. Today case was fixed for filing replication. Replication not filed. Learned counsel for plaintiff has stated at bar that he does not want to file any replication to the written-statement. Counsel for the parties were asked to opt for settlement of dispute outside the court by adopting one of the alternative dispute resolving procedure as prescribed under section **89 of Code of Civil Procedure, 1908** but counsel for the parties have submitted that they do not want to opt for any of the alternative dispute resolving procedure and would like to get the dispute adjudicated from the court. After hearing arguments and from pleadings following issues arise in the present suit:

1. Whether plaintiff is entitled to decree for declaration to the effect that the impugned bill No. SB23A0901047INV4175 dated 09.01.2023 is illegal, nonest and is not binding upon the plaintiff as prayed for? **OPP**
2. Whether the plaintiff is entitled to decree for permanent injunction thereby injunctiong the defendants permanently now or in future from recovering the impugned amount of Rs.70041.93/- as prayed for?**OPP**.
3. Whether the plaintiff is entitled to decree for mandatory injunction thereby directing to restore the electricity connection bearing no.4444642000, as prayed for? **OPP**
4. Whether the plaintiff has got no locus standi & cause of action to file the present suit against the defendants?**OPD**

5. Whether the plaintiff is not entitled to get any relief from this Court as he has suppressed the true and material facts from this Court?
OPD.
6. Whether the suit of the plaintiff is not maintainable?**OPD**
7. Relief.

No other issue is pressed or claimed. Onus not objected to. Now, to come upon **19.07.2024** for the evidence of plaintiff at own responsibility. Ld. counsel for the plaintiff is directed to file the List of witnesses, PF and DM etc. within seven days, failing which the evidence of plaintiff shall be brought at own responsibility. However, it is made clear that three opportunities will be given to both the parties to lead their evidence as clear from the amended provisions of CPC. **The parties shall present (in the court) a list of witnesses, whom they want to call either to give evidence or to produce documents and obtain summons of such persons for their attendance in the court.** It is further directed both the parties should supply the copy of affidavits as well as documents etc. (tendered in evidence) to the opposite party (well before seven days) so that the cross-examination may not defer on this ground alone.

Date of Order:17.05.2024
Madina, Stenographer Gr.II

(Ankita Mahajan)
Civil Judge (Jr. Division)
Kaithal/UID No. HR0595