



CWP-15813-2026

-1-

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

Serial No.107

CWP-15813-2026

Decided on:01.09.2026

M/s Sangrur Cold Storage

. . . Petitioner

Versus

Punjab State Power Corporation Limited and another

. . Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sparsh Chibber, Advocate (through video conferencing)
for the petitioner.

Ms. Priyanka Malik, Advocate and
Ms. Mehak Kanwar, Advocate
for the respondents/PSPCL.

TRIBHUVAN DAHIYA, J.(ORAL)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to pay interest at the rate of eighteen per cent per annum on the amount of ₹6,13,800 which was wrongfully recovered and subsequently refunded to the petitioner, and set aside the award dated 04.02.2026 passed by the Permanent Lok Adalat (Public Utility Services), Sangrur, in application no.71 dated 01.07.2022, Annexure P-2.

2. As per admitted facts on record, the petitioner has an electricity connection bearing no. S46MS460073P and account no. 3002802541 under LS category. It was wrongly charged additional supply units by the Corporation at the rate of three per cent from April, 2011. The petitioner objected to the same vide letter dated 13.10.2014 and reminders dated

**CWP-15813-2026****-2-**

04.03.2016, 05.07.2016 and 14.02.2020. The Corporation admitted its mistake in reply to the legal notice dated 28.04.2021 and subsequently refunded an amount of ₹6,13,800, wrongfully charged by it. As the petitioner was not given any interest on the refunded amount, it approached the Permanent Lok Adalat by filing an application under Section 22-C of the Legal Services Authorities Act, 1987. It was dismissed vide impugned award dated 04.02.2026 on the ground that, having failed to demand interest initially when it submitted the representation seeking refund of the excess amount, the petitioner could not be permitted to raise such claim subsequently, and would be deemed to have waived off its rights under the provisions of Order II Rule 2 CPC. Also, the claim for refund pertained to the period from May, 2011 to March, 2017, which would be barred as per law of limitation as well.

3. Learned counsel contended that the petitioner was illegally charged the additional amount, which remained with the Corporation without any justification, thereby entitling him to payment of interest.

4. Learned counsel for the Corporation is not in position to dispute the facts aforementioned.

5. Considering the submissions, this Court finds that the Corporation had wrongfully recovered the amount, and utilized the money for its own purposes. The wrong committed by the Corporation stands admitted by refund of the amount on 05.04.2022. The petitioner had demanded interest soon thereafter by submitting a representation dated 27.04.2022. He also approached the Permanent Lok Adalat on 01.07.2022. In these facts, it cannot be said that his claim is time barred, as the cause of action for claiming interest accrued only upon refund of the amount on 05.04.2022. Further, the

**CWP-15813-2026****-3-**

petitioner cannot be said to have instituted any proceedings before any Court of law or Tribunal by simply making representations with the respondents seeking refund. Therefore, provisions of Order II Rule 2 CPC would have no application.

6. In this view of the matter, the petition is disposed of setting aside the impugned award dated 04.02.2026, and directing the respondents to pay interest at the rate of six per cent per annum to the petitioner on the total refunded amount from May, 2011 up to the date of refund, i.e., 05.04.2022, within a period of four weeks of receiving a certified copy this order.

01.09.2026
Mehak

(TRIBHUVAN DAHIYA)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No