

(Supreme Court Of India)

S.D.O. Electricity

v.

B.S. Lobana

(B.N. Agrawal and P.K. Balasubramanyan,JJ.,)

Civil Appeal No. 2491 Of 2005 | 08-04-2005

1. Heard learned Counsel appearing on behalf of the appellant.

2. Leave granted.

3. The respondent has filed written submissions. We have perused the same. In the facts and circumstances of the case, we are of the view that instead of moving the District Forum, the respondent should have moved an application under Section 26(6) of the Electricity Act, 1910 (for short “the Act”) for referring the matter to the Electrical Inspector.

4. In view of these facts, the appeal is allowed, the impugned orders are set aside and complaint filed by the respondent is dismissed, granting liberty to him to file an application under Section 26(6) of the Act in accordance with law.

5. No costs.