

73

ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
C.P No.D- 1810 of 2010

|      |                               |
|------|-------------------------------|
| DATE | ORDER WITH SIGNATURE OF JUDGE |
|------|-------------------------------|

1. For orders on M.A No.7229/2010
2. For Katcha Peshi.
3. For Hearing of M.A No. 7280/2010
4. For Hearing of M.A No. 7230/2010

02.9.2014

Mr. Sarfraz Khan Jatoi, advocate for the petitioner.  
Mr. Mushtaque Ahmed Korejo, Standing Counsel.

Mr. Rafique Ahmed K. Abro holding brief on behalf of Mr. Shahid Hussain Qureshi,  
advocate for respondent NO.1

-----

2. Learned counsel submits that though this petition is filed in the year 2010 when the act of the respondents/SEPCO has been challenged who without due course of law as required in terms of Subsection (6) Section 26 of Electricity Act, have de-sealed the meter and then after checking again sealed the said meter. The provisions of Subsection (6) of Section 26 of Electricity Act are clear that it is the prerogative of the Electric Inspector to have scrutinized such disputes which could be raised from either side i.e, licensee or consumer. Learned counsel for the petitioner submits that such recourse have not been followed at the time of scrutinizing the meter. Learned counsel submits that respondents ought to have referred the matter and meter to the Electric Inspector who was the only authority competent to unearth the question regarding functioning of the electric equipment.

Be that as it may, learned counsel agreed that this matter may be referred to the Electric Inspector in terms of provisions of Electricity Act, who after considering the case of the petitioner as well as of the respondents would decide the case preferably within a period of 60 days, strictly in terms of law.

1. As far as M.A No.7229 /2010 is concerned. In view of the order passed hereinabove the application has become infructuous and is dismissed.

3. This is application for contempt proceedings. It appears that on 23.9.2010 when the order of the status quo was passed the electricity had already been disconnected. Learned counsel has not pointed out as to what contempt has been committed by the alleged

Contemnor. There was no question of restoration of electricity since the parties were directed to maintain status quo on the day when it stood disconnected and this application appears to be misconceived. Dismissed.

4. Dismissed in view of the above.

This petition stands disposed of along with listed application.

