

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**Suit No.1276 of 2014**

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Date	Order with signature of Judge
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For Hearing of CMA No.9833/2014.

**17.10.2014**

Mr. Raja Aftab Ahmed, Advocate for the Plaintiff.  
MR. Mohammad Saad Qureshi, Advocate for defendants a/w  
Ameen Ahmed, Manager Inspection, K-Electric.

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**NAZAR AKBAR, J.:-** The precise dispute in this case is about the electricity supply to the premises of the plaintiff by Consumer No.AL-657968, A/C No.0400023824367 & Consumer No. AL-657969, A/C No.0400023824505. The case of the plaintiff is that the electricity load provided is not sufficient for running of the CNG Station. The defendants are of the view that the plaintiff was found guilty of theft of electricity and after raid on their premises it was disconnected and even the staff of the said station was booked in criminal case of theft of electricity, which is still pending and yet the plaintiff is running the CNG station through 'Kunda' system, whereas the plaintiff claims that they are using generator.

Be that as it may, to avoid all the illegalities and to avoid further theft of electricity, which may be due to the fact that K-Electric is not providing proper electricity to the plaintiff for which they charge extra money or even other unidentified charges and harass the plaintiff by denying the electricity. The plaintiff in any case cannot be denied proper supply of electricity, therefore, entire dispute raised about the past conduct of the plaintiff and the defendants with each other, for which both have denied allegations of misusing of their respective position. It is hereby ordered that the plaintiff will deposit Rs.40,00,000/- (Rupees Forty Lacs) within one week and on payment of that without going into the formalities of documentation that may be taken care of, subsequently, the K-Electric will provide the

premises of plaintiff required load of electricity for CNG station equivalent to the load provided to other CNG stations in the locality. Once the electricity load is provided and verified by the private Electrical Engineer of plaintiff in presence of the Electric Inspector, no disturbance should be made by the defendants in supply of the electricity to the plaintiff's premises. However, if not every day, at least once in a week, the Electric Inspector of the K-Electric or any authorized officer/employee will inspect the premises to check the consumption of electricity and other installations and if required with the aid of the police and plaintiff or their employees will never interfere in the inspection of the electric installations supplying electricity to the CNG station. The arrears of the electric bill shall be determined by the Electric Inspector after recording evidence of the respective parties. Three months' average billing may be made criteria to claim the previous electricity consumptions by the plaintiff, subject to justifiable proof or otherwise claim of either side. The issue of previous billing will be resolved at the level of Electric Inspector or any other relevant provisions in terms of the Electricity Act, 1910.

With the above observations, this suit stands disposed of. However, the defendants will supply the electricity within one week of receiving Rs.40,00,000/-(Rupees Forty Lacs), otherwise the K-Electric will be facing consequences.

When the order has been passed and counsel for the plaintiff has left the Court the K-Electric staff present in Court who has categorically stated in Court that no PMT can be installed on the premises of the plaintiff and they have categorically stated in Court that they can provide electricity load as required by the plaintiff without PMT are now claiming that this Court may allow them to install PMT at the cost of the plaintiff. This change of position by K-Electric responsible officer immediately after passing of above order and particularly after the counsel for plaintiff has left the Court is

sufficient to guess their future actions. Mr. Ameen Ahmed, Manager (Inspection), K-Electric has categorically stated that PMT is not required. Therefore, it is reinstated that non-availability of PMT shall not be an excuse to disobey the above order, within time frame.

*Manzoor/P.A*

**JUDGE**