

PUNJAB STATE ELECTRICITY BOARD

From

Secretary,
PSEB, Patiala.

All Heads of Departments in PSEB

Memo No. 78904/79153 /LB-2(General)08


Dated 05/06/08

Sub: Negligence/lapses in not promptly implementing the orders of Civil Courts/ & Consumer Forums.

It has been noticed that once the court cases are decided against the Board and then despite necessary advices issued by the Legal Section for implementation of Civil Courts & Consumer Forums orders, the implementation thereof is delayed without any justifiable reasons for a long time as a consequence of which the decree holder/complainant has to move the Civil Courts/Consumer Forums for implementation of such orders by way of Execution/ Contempt petition. At this stage the department is again compelled to put in appearance before the courts through counsel thereby again incurring the expenditure on account of counsel fee etc. apart from discharging accumulating liability of interest. Some times personal appearance of Chairman/Secretary and other Senior Officers of the Board is ordered by the executing courts to explain the reasons for non-implementation of their orders and in such a situation, an application for exemption of the appearance of Chairman/Secretary etc. is required to be moved as an additional step to get the exemption/contempt proceedings discharged.

In view of the above, it is advised that as and when the copy of judgment/orders of the Civil Courts/Consumer Forums is obtained, advice of Legal Section be obtained on priority basis and thereafter without any loss of time the judgment/orders of Civil Courts/Consumer Forums be implemented. By doing so, it should be ensured that the decree holder/complainant gets no opportunity to approach the court for seeking implementation of orders of court passed in his favour and advice is implemented duly given by this office so that the PSEB can be saved from incurring unnecessary expenditure on account of defending execution petitions through Advocate and to be involved in other complications & liabilities as have been referred above.

Accordingly, it is once again emphasized to follow the necessary requirements towards prompt implementation of the Court/Forum's orders failing which the officer/officials directly concerned with implementation of Court/Forum's orders shall be held responsible & attract disciplinary action as per rules/regulations including the recovery of the expenditure incurred by the Board on account of their negligence/lapses.


Secretary,
PSEB, Patiala.