



CNR: KAHC010311192026

NC: 2026:KHC:49104
WP No. 13808 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 13808 OF 2026 (GM-KEB)

BETWEEN:

SRI B.G.SUJAY
S/O H.R.GAJENDRA,
AGED ABOUT 52 YEARS,
R/AT SREE, NO 3, 1ST FLOOR,
6TH CROSS, 27TH MAIN,
V.G.S. LAYOUT, EJJIPURA,
BANGALORE -560 047

...PETITIONER

(BY SRI. SRINIVAS V., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP BY THE PRINCIPAL SECRETARY
DEPARTMENT OF ENERGY ROOM
NO.236, 2ND FLOOR, VIKASASOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001
2. THE CHIEF COMMISSIONER
BRUHATH BENGALURU MAHANAGAR PALIKE
N.R. SQUARE, BANGALURU-560 002
3. THE JOINT COMMISSIONER
BANGALORE SOUTH CITY CORPORATION
BOMMANHALLI ZONE -2
4. THE BANGALORE ELECTRICITY
SUPPLY COMPANY LTD.,
REPRESENTED BY ITS

Digitally
signed by
SUVARNA T
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010311192026

NC: 2026:KHC:49104
WP No. 13808 of 2026

MANAGING DIRECTOR,
CORPORATE OFFICE, K.R. CIRCLE
BANGALORE-560 001

5. THE ASSISTANT EXECUTIVE ENGINEER S-3
SUB-DIVISION, AUSTIN TOWN, BESCOM
BENGALURU -560 047

...RESPONDENTS

(BY MS.AMARAVATHY H.R., AGA FOR R1
SRI.K.S.MALLIKARJUN REDDY, ADVOCATE FOR R2 -R3
SMT.PADMA S UTTUR, ADVOCATE FOR R4
SRI.H.V.DEVARAJU, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
QUASH THE NOTICE DATED:27.05.2026 ISSUED BY THE R-5 VIDE
ANNEXURE-D TO THE WP AND GRANT AN INTERIM ORDER TO
STAY OPERATION OF THE NOTICE DATED: 27.05.2026 ISSUED BY
THE R5 VIDE ANNEXURE-D TO THE WP.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following
prayer:

***"Wherefore, the petitioner in the above
case pray that this Hon'ble Court be pleased
to;***

***a. Issue a writ of certiorari or any other
writ of like nature and quash the notice
dated 27.05.2026, bearing
NO.BEVIKAM/SAKAE/S-3/SE(THAM)/2025-
26/1283 issued by the 5th respondent vide
Annexure-D to the writ petition and;***



CNR: KAHC010311192026

NC: 2026:KHC:49104
WP No. 13808 of 2026

***b. Grant any other remedy that this
Hon'ble Court deems fit, in the interest of
justice and equity."***

2. Learned counsel for the petitioner submits that after obtaining permission, the petitioner has constructed the building and BESCOM has provided the power connection. BBMP has issued a provisional order dated 12.08.2024, a confirmation order dated 03.09.2024, and another notice dated 16.05.2025. The petitioner, aggrieved by the provisional and confirmation orders, preferred W.P.No.10105/2026, which was disposed of, directing the respondents not to precipitate the matter for a period of 8 weeks or till an appropriate decision is taken by the Appellate Authority. The petitioner has filed an appeal before the Appellate Authority in APP No. 63/2026, which is pending consideration. In the meantime, the respondent/BPMP has communicated to BESCOM, and BESCOM has disconnected the power supply. The petitioners are before this Court questioning the said high-handed action on the part of the respondents when the petitioner's appeal itself is pending.



CNR: KAHC010311192026

NC: 2026:KHC:49104
WP No. 13808 of 2026

3. Learned counsel for the petitioner submits that the BBMP has no authority to issue a letter and that BESCOM has no authority to disconnect the power supply when the appeal of the petitioner is pending consideration before the appellate authority. Learned counsel for the petitioner has relied on the judgment of a Co-ordinate Bench of this Court in ***G.N Venkateshwaralu Vs. State of Karnataka and another***¹. He relied on para No. 11, which reads as follows:

"11. In view of admitted pendency of appeal filed by petitioner against order of confirmation, and as issuance of Annexure-H is only at instance of BBMP, it would be appropriate to keep Annexure-H in abeyance until conclusion of proceedings in Appeal No.64/2025 filed by petitioner before respondent no.2 and thereafter, in case of any further intimation by respondent no.2, respondents no.3 and 4 may proceed with Annexure-H. It is further clarified that, until then, respondents no.3 and 4 are directed not to disrupt power supply on grounds mentioned at Annexure-H. In meanwhile, petitioner is

¹ WP No.10810/2025 dated 19.08.2025



CNR: KAHC010311192026

NC: 2026:KHC:49104
WP No. 13808 of 2026

reserved liberty to file objections to Annexure-H."

4. Learned counsel appearing for the BBMP submits that whenever a confirmation order is passed at that point of time they will issue a communication to BESCOM, and based on that, BESCOM will take the steps. It is submitted that they are acting in accordance with the provisions of the Act. Learned counsel appearing for the BBMP further submits that, as per the interim orders passed by this Court, they have restored the power supply to the petitioner.

5. Having heard the learned counsel on either side, perused the material on record. When the BBMP, a local authority has initiated proceedings on any of the grounds available to them an order is passed, if that order had attained finality, they want to execute the order, at that point of time, if they are seeking the assistance of BESCOM, the Court can understand the purpose to be achieved by giving such a communication to BESCOM. But unfortunately, when the party has a remedy of appeal, immediately communicating it to BESCOM and BESCOM disconnecting the power supply is



CNR: KAHC010311192026

nothing but creating unnecessary litigation and making the parties rush to the High Court. Every day this Court is coming across several writ petitions of this nature, where it is submitted that their appeal is pending or that a notice has been issued and no final order is passed. The pendency of statutory appeals cannot be reduced to an empty formality by taking coercive steps. What is directly under challenge cannot be indirectly enforced through disconnection of essential service. This is unnecessarily consuming judicial time. Hence, this Court is passing the following:

ORDER

- i. The Chief Commissioner of the Greater Bangalore Governance Authority shall look into this aspect and shall take appropriate steps with regard to this aspect and also the coordination between BESCOM and the GBA. The Chief Commissioner shall send the action taken report to the Registrar (General). By October 14th, the Registrar (General) in turn shall place it before this Court.



NC: 2026:KHC:49104
WP No. 13808 of 2026

CNR: KAHC010311192026

- ii. As the power supply has already been restored, no further orders need to be passed.
- iii. Accordingly, the repetition is ***disposed of.***
- iv. Communicate a copy of this order to the Registrar (General).
- v. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 18
*MR