

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.8871 of 2010

Date of Decision.26.02.2015

Mangat Ram and others

.....Petitioners

Versus

Commissioner Ambala and others

..... Respondents

Present: Mr. Saurabh Bajaj, Advocate
for the petitioners.

Mr. Keshav Gupta, AAG, Haryana.

Mr. Vivek Goyal, Advocate
for respondent No.4.

Mr. Sudhir Hooda, Advocate
for respondent No.5.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J.(ORAL)

1. The impugned order is the order of the Collector, Kurukshetra directing disconnection of electricity to be effected in certain structures erected in the place allotted to the petitioners for carrying out their avocation of pottery. The complaint by the authorities was twofold; one, that they are not carrying on merely trade or avocation but they are actually residing in the place. The spot inspection reported to have been made revealed that they are actually carrying on their avocation and it had not been put to any misuse. However, they found that the electricity connection has also been given, which according to the Collector was not appropriate and therefore,

directed disconnection of the electricity. The second observation of the Collector is that if the petitioners were found using the land for residential purpose or for any other purpose other than keeping the utensils therein, they would be evicted by the Gram Panchayat. I will not find fault with the observations made by the Collector. I will only find that the direction for disconnection of electricity ordered by the Collector, Kurukshetra cannot be sustained for any purpose either for carrying on their avocation or for using the bathroom or toilet. Electricity ought not to be seen as a luxury. Its use in bathrooms and toilets must be taken taken as a process towards the *Swatchh Bharat* which the nation is talking about.

2. The observation regarding the disconnection of the electricity is set aside and the writ petition is allowed on the above terms.

(K. KANNAN)
JUDGE

February 26, 2015
Pankaj*