

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

RSA No.4285 of 2015 (O&M)
Date of Decision.09.12.2015

Sarabjit Singh

.....Appellant

Vs.

Punjab State Electricity Board and others

.....Respondents

Present: Mr. Sahil Khunger, Advocate
for the appellant.

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. A co-owner of the property has objection about one of the other co-owners in having applied the electricity connection and taking water to his share of the land. The hitch according to the plaintiff was that the plaintiff will not be able to obtain electric connection because there is already an electric connection for the property brought at the instance of the other co-owners. If some of the co-owners could take electric connection without the concurrence of the plaintiff, there is no reason why the plaintiff cannot similarly obtain electric connection for his own share to the property. I have no evidence that the plaintiff had applied for any such connection with the Electricity Board or Corporation and that he had been stone-walled against securing such connection on the basis that there already exists a connection in respect of the property. If there was ever to be an objection by the Electricity Corporation from issuing a separate connection in favour of the plaintiff,

he would be able to cite the grant of connection to other co-owners without the concurrence of the plaintiff and plead for discrimination. The plaintiff's apprehended injury of what the Electricity Connection could do to him to deny to him a connection cannot be a justification for instituting the present suit. The remedy would be properly only against the Electricity Corporation if a right to obtain electricity connection were to be denied to the plaintiff.

2. I find the judgments of the Courts below would not require any modification and hence the second appeal is dismissed but subject to above observations.

(K. KANNAN)
JUDGE

December 09, 2015
Pankaj*