

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 WRIT PETITION NO. 11499 OF 2016

**IQBAL IBRAHIM SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Syed G R
AGP for Respondents: S.G. Karlekar
Advocate for Respondents :Shelke Avishkar S. For R/3

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**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.
DATE : 09.06.2017.**

PC. :-

. The petitioner has approached this Court because he was deprived of electricity supply, which came to be disconnected on account of objections raised to its grant by the private respondents.

2. It appears that the petitioner and the private respondent nos. 7 to 10 have a dispute over right, title and interest over the immovable property. Though, the petitioner claims to be the owner, these private respondents have raised a dispute regarding the same and have communicated with the electricity company and its officials. On account of their objection, the supply was disconnected.

3. By an interim order passed on 13.04.2017, this Court directed as under:

1. Petitioner undertakes to deposit the charges payable towards supply of electricity including deposit as well as re-connection charges and also undertakes to pay the bills regularly.

2. It is not a matter of dispute that petitioner is in occupation of the residential premises however, there is an objection by his father and other relatives for supply of electricity to the residential premises.

3. By way of interim order and subject to the outcome of the petition, respondents 2 to 6 are directed to resume electricity supply to the premises in occupation of petitioner.

4. Stand over to eight weeks.

4. It is stated that the electricity supply has resumed to the premises in occupation of the petitioner.

5. We are of the opinion that, the respondents could not have gone into any private dispute. Disputes between two private parties have to be resolved by a competent civil court. In such circumstances the disconnection was improper.

6. By keeping all contentions of all the parties open, we dispose of this writ petition in terms of the interim order.

7. We clarify that the issue regarding the right, title and interest of immovable property shall be adjudicated uninfluenced by this order.

[MANGESH S. PATIL, J.]

[S.C. DHARMADHIKARI, J.]