IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(113) **CWP-115-2017**
Decided on: January 11, 2017.

Jaswinder Kaur

.... Petitioner

Versus

Punjab State Power Corporation Limited and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Sunil Kumar Sharma, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

It appears that a civil litigation of the petitioner with respondents No.4 and 5, is pending.

Learned counsel for the petitioner submits that application for tubewell connection filed by the petitioner has been returned on 08.12.2016 requiring the petitioner to obtain no objection certificate from Bhagwan Singh and Gurdeep Singh sons of Arjun Singh.

The grievance of the petitioner is that the abovesaid two persons are co-sharers in another Khewat No.16/16 but not in Khewat No.15/15 in which the petitioner seeks the tubewell connection.

It will not be feasible for this Court at this stage to enter into the disputed question of facts in the exercise of writ jurisdiction but this Court is of the opinion that in case the claim of the petitioner as raised in Annexure P-4 before the Executive Engineer, PSPCL, Prabhat Chowk, Hoshiarpur, is objectively considered and a speaking order is passed by taking into consideration the entire material brought to the notice of the said authority which is competent to consider the circumstances and resolve the

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issue of providing tubewell connection to the petitioner, the interest of justice would be adequately met.

This petition is disposed of as pre-mature at this stage, however, a direction is issued to the Executive Engineer, Hoshiarpur to consider the claim of the petitioner Annexure P-4 as mentioned hereinabove and decide the same by passing a speaking order within a period of two months after the receipt of certified copy of this order.

It will be the responsibility of the petitioner to communicate the order to the abovesaid authority.

(M.M.S. BEDI)
JUDGE

January 11, 2017
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No

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