

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1856 OF 2017

Lavina Electric Works	Petitioner
V/s.	
The State of Maharashtra & Ors.	Respondents

**WITH
WRIT PETITION NO. 1879 OF 2017**

M/s. Ramesh Multi Works & Anr.	Petitioners
V/s.	
The State of Maharashtra & Ors.	Respondents

Mr. Sujeet Kurup for the petitioners.
Mr. Saurabh B. Gore, AGP for R.No.1.
Ms. Kavita Anchan a/w. Mr. Arsh Misra for R.No.2.

**CORAM : S.C. DHARMADHIKARI &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATE : 24TH APRIL, 2018

P.C.:

. The affidavit-in-reply filed by Mr. G.K. Telange, the Deputy Engineer of the Respondent No.2/BEST is taken on record.

2. Upon perusal of the Writ Petitions and particularly the order passed by the Consumer Grievance Redressal Forum dated 05th January, 2017, We are satisfied that the BEST / Respondent No.2 has nothing to do with the private dispute particularly in relation to the

right, title and interest in the immovable property. If the petitioner claims to be residing therein / the subject premises as a tenant but the landlord does not accept it than that claim or dispute between the petitioners and respondent no.3 can be independently adjudicated and decided by a Competent Court. That court is not bound to take note of the fact that the electricity supply was provided to the premises on the request of the petitioner. Merely because such supply is provided to the premises occupied by the petitioner does not mean that he has been conferred a legal status much less as a tenant of the premises. In such circumstances, the writ petitions are disposed of with a direction that in the event the petitioner makes an arrangement at his own cost, charges and expenses so as to provide the cable wiring from the point of main supply upto his premises and executes a indemnity bond in favour of respondent no.2, indemnifying it against all claims raised by 3rd respondent on Respondent No.2, the electricity supply shall be provided to the petitioner within a period of four weeks from the date all compliances are made. This order is without prejudice to the rights and contentions particularly of the respondent no.3. The Writ Petitions are disposed of. No order as to costs.

(SMT. ANUJA PRABHUDESSAI, J.)

(S.C. DHARMADHIKARI, J.)