

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3101 of 2018

Bijay Kumar Agrawal S/o Late Shri Satayanarayan Agrawal Aged About 51 Years R/o E-96 Devendra Nagar Sector-5 Raipur, Proprietor Of Mahraj Gharana Classic H-50 Pandri Textile Market Raipur, District - Raipur, Chhattisgarh.

---- Petitioner

Versus

1. Chhattisgarh State Power Supply Distribution Company Limited Through Its Executive Engineer, Raipur, District - Raipur, Chhattisgarh.
2. Assistant Engineer Shastri Chowk Zone - City Division (Middle) C.S.P.D.C.L., Raipur, District - Raipur, Chhattisgarh.
3. Narendra Singh Chawla S/o Mahendra Singh Chawla 5/5 Ravishankar Shukla Ward Govind Nagar Pandri, Raipur District - Raipur Chhattisgarh
4. Surendra Singh Chawala, S/o Mahendra Singh Chawla, R/o House No. 2/22, Govind Nagar, Raipur, District Raipur Chhattisgarh

--- Respondents

For petitioner – Shri Ravishankar Tiwari, Advocate.
For respondents No.1 and 2-Shri B.D. Guru, Advocate.
For respondent No.4- Shri K.P.S. Gandhi, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/08/2019

Heard.

1. Present petition has been filed by one of the tenant who claims himself to be the tenant of respondent No.3 Narendra Singh Chawla. This petition has been filed to get the electricity connection to a premises wherein the petitioner claims that he has been inducted as a tenant. The tenancy is claimed to the shop bearing number H-50 situated at Textile Market, Pandri.
2. Learned counsel for the Electricity Board would submit that as per Regulation 4.15 which governs the grant of electricity connection, required for non domestic light and fan purpose, the petitioner was required to give identity proof containing photograph of applicant and document of

ownership of premises. He submits that the petitioner claims that he is tenant of Narendra Singh Chawla whereas tenancy agreement which is filed would show that it was for one year from 20/04/2017 to 19/03/2018, therefore NOC from the owner of the premises are required.

3. Learned counsel for respondent No.4 contends that respondent No.3 Narendra Singh Chawla despite the fact that mother has expired on 20/02/2014 has filed affidavit of mother in December, 2014 and got meter.

4. Perusal of the document and pleading of parties would show that inter-se dispute is in between the parties primarily respondents No.3 and 4. This court is not deciding inter pleader suit and claim of petitioner tenant to decide who is the owner of rented premises. The prayer is only to the fact that whether respondents No.1 and 2 who is Electricity Board can be directed to give electricity connection. Regulation made under the Electricity Supply Code, Regulation 4.15 (ii) in respect of the application for new connection following documents are required which are reproduced hereunder:-

“(ii) NDLF purpose:-

(a) Identity proof containing photograph of applicant (as prescribed)

(b) Document for ownership of premises/NOC from owner if applicant is tenant of the premises”.

5. Considering therefore the requirement, petitioner if satisfies the aforesaid requirement, respondents No.1 and 2 shall give electricity connection to the petitioner tenant.

6. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE