

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 4576 of 2021

Surendra Singh Chawla, S/o. Late Mahendra Singh Chawla, aged about 62 years, resident of House No. 22/2, Devendra Nagar Pandri Raipur Chhattisgarh.

---- Petitioner

Versus

1. CSDPCL, Through : Managing Director, Vidyut Bhawan, Raipur Chhattisgarh.
2. Executive, Engineer CSPDCL Vidyut Bhawan Raipur Chhattisgarh.
3. Assistant Engineer CSPDCL Vidyut Bhawan Raipur Chhattisgarh.
4. Narendra Singh Chawla, S/o. Late Mahendra Singh Chawla, aged about 62 years, resident of House No. 5/5 , Behind Shrishivam, Devendra Nagar, Pandri Raipur Chhattisgarh.

---- Respondents

For Petitioner : Mr. Manay Nath Thakur, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/11/2021

1. It is submitted by the learned counsel for the petitioner that the petitioner is constructing a commercial complex in Ravi Shankar Shukla Ward No.35, Pandri Raipur. The petitioner filed an application for grant of commercial electricity connection to the respondent No.3. Respondent No.2 rejected the prayer of the petitioner for grant of electricity connection vide Annexure P-3/dated 16.08.2021 mentioning the objection made by the respondent No.4.

2. It is submitted that in case of **N.R. Sharma Vs. Chhattisgarh State Power Distribution Company Limited (C.G.)** in **W.P.(C) No. 3341 of 2017 decided on 02.01.2018**, this Court has very clearly held that a distribution licensee is obliged to supply electricity statutorily under Section 43 (1) of the Electricity Act, 2003, which is mandatory in nature and consequence of non-supply of electricity is provided in the shape of Section 43 (3) of the Act of 2003. Hence, on this basis, this petitioner has entitlement for grant of commercial electricity connection on the construction premises on the basis of the prayer made. Hence, it is prayed that this petition may be disposed off with direction.
3. Considered on the submissions and perused the documents present on record. This petition is disposed off at motion stage. The petitioner is granted liberty to file repeat application praying for electricity connection in his premises and the respondent no.2 and 3 are directed to take decision on the application at the earliest keeping in view the order of this Court passed in case of **N.R. Sharma Vs. Chhattisgarh State power Distribution Company Limited (C.G.) (supra)**. The compliance of this order may preferably be made within a period of 30 days.
4. With these observations, this petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge