

**105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-14682-2021(O&M)
Date of Decision:16.08.2021**

Jitender Singh and others

..... Petitioners

versus

**Punjab State Power Corporation Limited
and others**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Jasdeep Singh, Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J. (ORAL)

CM-10872-CWP-2021

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Application is allowed as prayed for.

The accompanying documents at Annexures P-9 to P-11 are taken on record.

Application disposed of.

Main case

The petitioners who are three in number and stated to be residents of House No. 2636, 2595 and 2624 respectively in Sector 123, New Sunny Enclave, SAS Nagar, Mohali have filed the instant petition seeking a mandamus directing the official respondents to provide

regular electricity connection at domestic rates instead of temporary electricity connections at commercial rates.

In support of the prayer made in the petition reliance was placed upon a common order dated 16.03.2021 passed by the Coordinate Bench in **CWP-18004-2019** titled as **New Sunny Enclave Resident Welfare Association (Regd.) vs. State of Punjab and others** and **CWP-34999-2019** titled as **Ravi Dutt Badyal vs. The Punjab State Power Corporation Ltd. and others.**

The order reads in the following terms:-

“AJAY TEWARI, J. (Oral)

1. *Through these two petitions filed under Article 226/227 of the Constitution of India, petitioner is praying for issuing directions to the respondents No.2 to 5 to provide the 'regular electricity connections at domestic rates' instead of 'temporary electricity connections at commercial rates' in the area falling in Mega Housing Project. Since the issue involved in both the petitions is similar thus, the same are decided by the common order.*
2. *Today, learned counsel for the PSPCL and learned counsel for the Builder on instructions from Paramjit Singh, Assistant Executive Engineer Commercial (I), SAS Nagar, Mohali have stated that now the colony has by and large been regularized by the Municipal Council and the Builder has made all the due compliances and therefore, those house owners whose houses fall within the regular colony would be released the regular connections. In the circumstances, the claim of the petitioner has been addressed.*
3. *Accordingly, both the petitions stand disposed of.*
4. *Since the main case has been decided, the pending Civil Misc. Application(s), if any, also stands disposed of.*

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE”

Taking a cue from such order a specific query was put to the counsel as to whether the houses occupied by the three petitioners herein fall

within that part of the colony which has been regularised by the Municipal Council.

No documents/material in such regard has been adverted to. Counsel would rather suggest that notice be issued to the respondents to elicit the factual position.

In view of the above, we are unable to examine as also accept the prayer made in the petition.

As such, while declining to intervene and while disposing of the writ petition, liberty is granted to the petitioners to approach this Court raising the same very prayer for grant of regular electricity connections at domestic rates but after placing on record documents which would demonstrate that the houses of the petitioners form part of the colony which stands regularised by the competent authority.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIVEK PURI)
JUDGE

16.08. 2021
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No