

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION No. 1789 OF 2022.

Mr.Raju Gendlal Baisware. Petitioner.

VERSUS

The Additional Executive Engineer
and others. Respondents.

Mr.S. Raisuddin, Advocate for the Petitioner.

**CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.**

DATE : 4 APRIL 2022.

P.C.

Heard learned Counsel for the Petitioner.

2. The Petitioner has sought a direction to the Respondent – Maharashtra State Electricity Distribution Company Limited to give new electricity meter connection and also to comply with the orders passed by the Internal Grievance Redressal Cell, Nagpur.

3. Since the Petitioner has invoked writ jurisdiction, it is necessary for the Petitioner to demonstrate his bonafides. We called upon the learned Counsel for the Petitioner as to under which legal

2

right the Petitioner is claiming separate electric meter in his name. The only explanation that is sought to be given is that the Petitioner was a Care taker of a person. As regards to the query as to of whom the Petitioner is care taker, it was informed that he was the Care taker of one Mr. Siddique. However, as per the statement of the Petitioner before the Grievance Forum, it is only mentioned that he was Care taker of 'Jubeda Arcade', which is a place. It is also stated that the Manager of this estate namely Syed Qazi, has filed case against the Petitioner in the Court. After the owner had expired, under what legal right the Petitioner has continued in the premises is not explained. There is no such care taker agreement placed on record. The Manager of the estate has instituted legal proceedings against the Petitioner. In light thereof, we find that various disputed questions would arise as regards Petitioner's right to have an independent electricity connection including title and legal right of Petitioner, which cannot be considered in writ jurisdiction. The Petitioner would have his remedies available in the courts to establish his legal right.

4. In the light of this position, Writ Petition cannot be entertained, the same is disposed of.

(ANIL L. PANSARE, J)

(NITIN JAMDAR, J)

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