

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

212 (4 cases) CWP-16984-2017 (O&M)

HARJIT KAUR ... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS ... Respondents

CWP-19954-2017 (O&M)

BABALPREET KAUR ... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS ... Respondents

CWP-19955-2017 (O&M)

MANISHA DHIR ... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS ... Respondents

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CWP-13968-2021 (O&M)
Date of Decision: 20.03.2023

PARMINDER SINGH ... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS ... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Ankush Rampal, Advocate for
Mr. Rahul Rampal, Advocate
for the petitioner(s).

Mr. Deepanjay Sharma, DAG, Punjab.

Ms. Ritam Aggarwal, Advocate
for respondents No.2 and 3 in
CWPs-19954 and 19955 of 2017.

Mr. Bhisham Kumar, Advocate for
Mr. M.K. Dogra, Advocate
for respondents No.2 and 3 in
CWP-16984-2017.

None for respondents No.2 and 3
in CWP-13968-2021.

VINOD S. BHARDWAJ, J. (ORAL)

A batch of four petitions is being decided by a common order as identical question of law emerge for determination in all the writ petitions. For the facility of reference, the facts have been enumerated from CWP-16984-2017 titled as 'Harjit Kaur Vs. State of Punjab and others'.

The case of the petitioner herein is that she is in possession of House having No.24-E, Bhai Nand Singh Nagar, Ludhiana and has also been granted Municipal Property Identification number. The petitioner is residing in the said house alongwith her family and that Gas Connection, Water and Sewerage Connection have been provided in the said house by the Municipal Corporation. The petitioner applied for release of electricity connection to the Electricity Department on 23.11.2015 claiming that the house falls within the Municipal Limits and she even submitted a certificate to that effect duly endorsed by the Authorities concerned. An amount of Rs.6,400/- was deposited vide receipt No.100001379350 for installation of electricity connection. However, the same was not released on account of an objection that the area in question falls within the prohibited zone as Ammunition Depot is situated therein. As per the notification issued, no construction is permissible within a distance of 900 meter (1000 yards) of the outer boundary of the Ammunition Depot. The present petitions were accordingly preferred by the petitioners by

pointing out that Section 43 of The Electricity Act, 2003 mandates the respondent-Distribution Licensee to ensure the electric supply on request.

Pursuant to the notice, written statements on behalf of the contesting respondents-PSPCL have been filed on 26.04.2019. It has been specifically averred that the construction in question is in violation of the Section 3 of The Works of Defence Act, 1903 and as such there is no illegality in the action of the respondents in not releasing the connection. Reliance is placed on the Restrictions imposed under Section 7 of the above said Act of 1903. No replication had been filed by the petitioners controverting the aforesaid aspect.

Learned counsel for the petitioner(s) at this stage seeks permission to withdraw the present petitions with liberty to pursue his alternative efficacious remedies in accordance with law.

Disposed of as withdrawn with the liberty as aforesaid.

Photocopy of this order be placed on the files of other connected cases.

20.03.2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No