

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 5191 of 2024

Date of decision: 04.03.2024

Surinder Kumar Aggarwal and another

.... Petitioners

Vs.

State of Punjab and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

**Present: Mr. Manbir Singh Batth, Advocate
for the petitioners.
Mr. Shekhar Verma, Addl. A.G. Punjab.**

ARUN PALLI, J (Oral)

The petitioners have prayed for the following substantive relief:

“Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus directing the respondents to allow the application of the petitioners for issuance of an electricity connection (P-3), which has been rejected by the respondent officials solely on account of a default in the payment by the respondent No.4, although the petitioners who are the owners of the premises have already made all the necessary payments inclusive of EDC (P-1) to respondent No.4 and NOC certificate (P-2) has been given by the respondent No.4 w.r.t. to the plot in question, and despite the fact that the petitioners request for electricity connection has been refused on the ground of default in payment by respondent No.4 whereas other occupants in the near vicinity/same colony have already been granted electricity connections, which

are functioning smoothly and the electricity is being supplied as on date to all of them.

AND

Further for issuance of an appropriate writ, order or direction in the nature of mandamus directing the respondents to take action w.r.t. Legal Notice dated 07/09.02.2024 (P-4) sent by the petitioners in a time-bound manner, whereby the petitioners while voicing their grievances have requested the respondents to take appropriate action.”

At the outset, learned counsel for the petitioners submits that prior to the institution of this petition, the respondents were even served with the legal notice dated 07.02.2024 (P-4), but to no avail. He submits that the matter being time sensitive, with each passing day's delay, the rights/interests of the petitioners are severely impaired.

Served with an advance copy of the petition, Mr. Shekhar Verma, Additional Advocate General, Punjab, for respondents, is present in Court. He submits that since the competent authority is already in seisin of the matter, it would be expedient if this petition is disposed of, to enable the competent authorities, to deal with the concerns/grievances of the petitioners and pass appropriate orders in accordance with law. He further submits that necessary orders shall be passed within four weeks from today after affording an opportunity of hearing to the petitioners.

Learned counsel for petitioners is agreeable to the course suggested by the learned counsel for respondents and submits that let this petition be disposed of in view of the statement made by him.

In the wake of the position sketched out above, this petition is disposed of in terms of the statement made by learned counsel for the parties.

This Court is sanguine that the authorities shall consider/examine the matter in issue, and pass appropriate orders, in accordance with law, within the time indicated by learned counsel for the respondents, assigning reasons in support thereof.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

04.03.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No