

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CWP-6403-2024 (O&M)

Date of decision: 18.03.2024

Om Parkash

...Petitioner

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Vivek Saini, Advocate
for respondents No.3 and 4-DHBVNL.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of notice dated 16.02.2024 (Annexure P-9) passed by respondent No.4-SDO/Op. City Sub-Division whereby the petitioner has been called upon to submit a No Objection Certificate (NOC) of co-sharer for installation of electricity connection.

2. Learned counsel for the petitioner contends that the petitioner is owner in possession of the land of 17 kanal 6 marla in Khewat No.338, Khatoni No.393, Muraba No.79, Killa No.4 and had applied for electricity connection for irrigation of his land in the year 2020. It is contended that the respondents verified the claim of the petitioner as regards the ownership in share of the land, a report in this regards was submitted by the Tehsildar, Mohindergarh 01.04.2019. The petitioner further deposited the requisite amount as demanded by the respondents. One of the co-sharers namely Surat Singh has given his No Objection by way of an affidavit and that after the

submission of the said affidavit, a dispute occurred with said Surat Singh whereafter he filed an affidavit on 13.02.2024 to the Electricity Department for raising an objection against releasing of electricity connection.

3. Learned counsel appearing on behalf of the respondent-Distribution Licensee however submits that the petition has an efficacious remedy to approach the Consumer Grievances Redressal Forum for release of the electricity connection and that insofar as the aspect of seeking No Objection Certificate from the other co-sharers is concerned, the said issued has already been dealt with in the **judgment dated 21.03.2023 passed in CWP-26395-2017** titled as '**Jahid Hassan Vs. State of Haryana and others**'.

4. Faced with the situation, learned counsel for the petitioner seeks withdrawal of the present writ petition so as to file an appropriate application before the Consumer Grievances Redressal Forum for release of the electricity connection.

5. The writ petition is accordingly **disposed of as withdrawn** with liberty to the petitioner to pursue his alternate remedy in accordance with law.

6. Needless to mention that in the event of the petitioner taking recourse to the alternative remedy, an expeditious decision shall be taken on the application/representation of the petitioner in accordance with law.

(VINOD S. BHARDWAJ)
JUDGE

18.03.2024

Mangal Singh

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