



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 WRIT PETITION NO. 7978 OF 2025

LAXMAN HANUMANT ITKAR
VERSUS
THE EXECUTIVE ENGINEER

.....
Advocate for the Petitioner : Mr. Rahul Pandhari Cheble
AGP for Respondents: Mr.
.....

CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.
DATE : 1st August, 2025

PC. :-

1. By this petition, the Petitioner is seeking a direction against the Respondent/Authorities to restore his electricity connection and alternatively the Petitioner is praying for a direction to restore the electricity connection at least till the conclusion of trial.
2. The allegation against the Petitioner is that he indulged in theft of electricity and accordingly offence under Section 135 of the Electricity Act, 2003, has been registered. The proceedings pertaining to the said offence are pending before the Special Court constituted under the said Act. The Consumer Grievance Redressal Forum has refused to entertain the prayer made on behalf of the Petitioner for restoration of

electricity on the ground that once offence is registered against the Petitioner, the said forum does not have jurisdiction to entertain any such prayer.

3. It is in this backdrop, that the present Writ Petition has been filed. The documents filed in the present petition show that the concerned authorities found that the Petitioner had indulged in theft of electricity and accordingly a theft bill was issued and even a compounding bill was issued to him. It is relevant to note that Section 152 of the aforesaid Act provides for compounding of offences and Sub-section (3) thereof stipulates that on deposit of compounding amount by the Competent Authority, it shall be deemed that the concerned accused person is acquitted of the offence and such compounding is permitted only on one occasion to the person or consumer.

4. In such a situation, it is open for the Petitioner to approach the concerned Special Court to seek compounding of the offence, which will lead to his acquittal and then, perhaps, there would be no impediment in restoration of electricity supply.

5. We are of the opinion that since the trial pursuant to the said offence registered against the Petitioner is still pending before the Special

Court, no specific case is made out for this Court to exercise jurisdiction under Article 226 of the Constitution of India to show any indulgence to the Petitioner for a direction to restore electricity supply.

6. The Writ Petition is dismissed. Pending applications, if any, also stand disposed of.

[Y.G. KHOBRAGADE, J.]

[MANISH PITALE, J.]