



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12666 OF 2025**

Sopan Haribhau Athshere ... Petitioner
versus
The Superintendent Engineer, Maharashtra
State Electricity Distribution Co. Ltd. & Ors. ... Respondents

Mr. Sanjay Shinde with Mr. Prathamesh T. Bhanuwanshe, for Petitioner.
Ms. Nikita Jacob with Ms. Kunjal Khandelwal i/by K.P.Law Associates, for
Respondent Nos.1 to 4.
Mrs. Vaishali Nimbalkar, AGP for Respondent No.5.

CORAM: N.J.JAMADAR, J.

DATE : 25 NOVEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 11 August 2025 passed by the learned Sessions Judge, whereby the application preferred by the Petitioner to restore the electric supply came to be rejected.
3. This Court has perused the averments in the said application. The Petitioner has approached the Court with a plain case that, during the pendency of the proceedings, electric supply be restored.
4. By the impugned order, learned Special Judge was persuaded to reject the application observing, inter alia, that final relief cannot be granted at the interim stage.
5. Mr. Shinde, learned Counsel for the Petitioner, submitted that the

Petitioner is willing to deposit the amount as assessed by the Electric Inspector vide Report dated 1 July 2025 (Exh.H).

6. The Court finds that the Petitioner did not approach the Court with a case that the Petitioner was willing to deposit the amount in terms of the assessment of civil liability, and, thereupon, the electric supply be restored.

7. When the Court expressed the aforesaid opinion, the learned Counsel for the Petitioner seeks leave to withdraw the Petition with liberty to file a fresh application before the Special Court, seeking determination of the amount to be deposited by the Petitioner, and, the Special Court may be directed to decide the said application on its own merits. Attention of the Court is invited to a decision of a learned Single Judge of this Court in the case of **Samadhan Arun Doifode V/s. Maharashtra State Electricity Distribution Co. Ltd. and Anr.**¹

8. In view of the aforesaid submissions, the Writ Petition stands disposed with liberty to the Petitioner to file an application for assessment of the civil liability.

9. In the event such an application is filed, the Special Court may decide the same on its own merits and in accordance with law.

10. Since the electric supply is disconnected, the Special Court is requested to decide the said application as expeditiously as possible.

1 2018 SCC Online Bom 2771

11. All contentions of all the parties are kept open.

(N.J.JAMADAR, J.)