

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12982 OF 2025

Galaxy One Co-Operative
Housing Society Ltd.

....Petitioner

Versus

The Commissioner Of Pune,
Pune Municipal Corporation & Ors.

....Respondents

Mr. Khan Javed Akhtar, Advocate for the Petitioner.

Mr. Rajdeep Khadapkar, Advocate for Respondent No.1 and 1a-Corporation.

Mr. Rahul Sinha a/w Mr. Soham Bhalerao i/b. DSK Legal, for the Respondent Nos.2 and 3-MSEDCL

CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.
DATE : 10th FEBRUARY, 2026

P.C. :-

1. In this Writ Petition, the Petitioner has put forth the following prayers :

“(b) Issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, direction and order of this Hon’ble Court directing Respondent no. 4 to issue appropriate directions and orders to Respondent No. 2 and 3 to ensure that Respondent No. 2 and 3 issue/grant individual electric connection to the petitioner society situated at Survey No. 75/1, Kharadi, Pune -411 014.

(c) Issue a writ of mandamus or writ in the nature of mandamus or any other appropriate writ, direction and

order of this Hon'ble Court directing Respondent no 1 to issue appropriate directions and orders to Respondent No. 1a to ensure that Respondent No.1a issue/grant individual water connection to the petitioner society situated at Survey No. 75/1, Kharadi, Pune-411 014.

(d) That pending the hearing and final disposal of the petition, the Respondent No. 2 to 4 be directed to install basic infrastructure (630 KW Transformer, Infrastructure up to transformer, RMUs, Switch gears, Double feeder, PMC charges etc required for society / individual meter connection under NSC scheme as the unit holders' electric meter in petitioner society situated at Survey No. 75/1, Kharadi, Pune 411014.

(e) That pending the hearing and final disposal of the petition, the Respondent No. 1 be directed to install water connection in petitioner society situated at Survey No. 75/1, Kharadi, Pune -411 014.

(f) Pending the hearing and final disposal of the present petition, the Respondent no. 5, their firm, their partners, authorized Person, agents, be directed to pay due/penalty amount of Rs. 48,62,240/- to the Respondent no. 2 and 3.

(g) Police protection should be provided to Petitioner Society and Respondent no. 2 to 4 for installation transformer and individual electricity connection or meters.”

2. We have heard the learned Advocates for the Petitioner and Respondent No.2 Maharashtra State Electricity Distribution Company Limited and Respondent No.3 Maharashtra State Electricity Board. In the light of the prayers, the learned Advocate for Respondent Nos.2 and 3 submits as under, which is undisputed :

(a) There are 100 flats and 45 commercial shops in the Petitioner's structure.

(b) Rs. 48 lakhs arrears of payment for consumption of electricity, are due towards Respondent Nos.5a, 5b and 5c.

(c) There is a theft case against Respondent Nos.5a, 5b and 5c.

(d) The Petitioner does not have any space for allotting a spot for enabling Respondent Nos.2 and 3 to install a transformer.

(e) The Petitioner is demanding a 630 KW Transformer.

(f) The Petitioner has not yet engaged a licensed electrical Contractor for carrying out a survey of the buildings' electrical wiring, to measure the load and the quality of the wiring, as to whether the said wiring would be able to sustain the load.

3. In view of the above, Respondent Nos.2 and 3 submit that they are helpless. The Petitioner Society submits that it has no space for the installation of a transformer, to be allotted to the electricity Company. It does not have funds to engage a licensed electrical Contractor.

4. We find that the members of the Petitioner Society, who

purchased these flats and shops with open eyes, have behaved like gullible purchasers. They could have carried out verification to find out whether the electrical wiring is properly done. They should have found out as to whether the Builder is in arrears of electricity consumption bills during the construction of the building. They knew that the building did not have a complete OC. They were aware of a part OC having been issued. They also were aware that if there is no electricity supply, they would not be able to have electricity in their homes. Knowing these facts, they chose to purchase the flats and the commercial shops.

5. We are informed by the Petitioner that the partners of Respondent No.5 are in jail in view of the offences registered against them by the Enforcement Directorate (ED).

6. In such circumstances, this Court cannot issue a Writ of Mandamus. We cannot direct the Electricity Company to spend from its pocket and search out a place or purchase a place for installation of a transformer when the Society itself does not have space to be allotted for installation of such a transformer.

7. The Company is demanding Rs.48 lakhs towards the

arrears. The Petitioner submits that the Society is willing to pay the said amount and wipe out the arrears. The learned Advocate for the Petitioner submits that the Petitioner would pursue the Builder for recovery of Rs.48 lakhs, if the Society pays the said amount to Respondent No.2.

8. The learned Advocate for the Company submits that if the arrears are wiped out by payment made by the Petitioner, and if the space is provided for installation of a transformer, and if the licensed electrical Contractor gives a complete document on the wiring made and the strength of the wires to carry a particular load, the Company would, thereafter, install the transformer subject to compliance of statutory requirements. Unless there is any space available, the Company cannot venture into installing a transformer.

9. In view of the above, this **Writ Petition is disposed off.** If the Petitioner satisfies the above requirements, Respondent Nos.2 and 3 would consider the same in accordance with the policy of the Company.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)