IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.16320 OF 2025

Sunny Thomas Varghese ... Petitioner
versus
The State of Maharashtra and Ors. … Respondents

Mr. Rajesh Darvesh with Mr. Vilas Bambarde, Mr. Ganesh Darvesh, for Petitioner.
Mr. Hamid Mulla, AGP for Respondent No.1.
Mr. Soham Bhalerao with Mr. Harshit Tyagi i/by DSK Legal, for Respondent Nos.2 to 4.

CORAM: N.J.JAMADAR, J.

DATE : 5 JANUARY 2026

P.C.

1. Heard the learned Counsel for the parties.

2. The challenge in this Petition is to an order dated 7 October 2025 passed by the learned Special Judge on an application for interim relief of restoration of the electric supply. By the impugned order, the learned Special Judge has directed the Petitioner to deposit 25% of the provisional bill amount of Rs.40,05,320/- as a condition precedent for the restoration of the electric supply.

3. Learned Counsel for the Petitioner would submit that the learned Special Judge has in terms recorded that there was no theft of electricity from Electric Meter No.05312387199, which has been ordered to be restored.

Attention of the Court was invited to the observations in paragraph No.11 of the impugned order.

4. Indeed, the learned Special Judge has recorded that there was no theft of electricity in respect of Meter No.05312387199. However, the learned Special Judge has specifically noted that there was theft of electricity in respect of two other meters and since there was no physical partition of the three Units (galas), where the electric supply from those electric meters was being used, electric supply was availed from one electric meter when the electric supply from another meter was off. In these circumstances, learned Special Judge directed the Petitioner to deposit 25% of the provisional bill amount.

5. The reasons ascribed by the learned Special Judge, prima facie, appear to be sustainable.

6. Having regard to the nature of the impugned order which is passed at an interim stage, while main application for restoration of electric supply awaits adjudication and the said application is now listed before the Special Judge on 16 January 2026, this Court in exercise of supervisory jurisdiction does not find any justifiable reason to entertain the Petition.

7. The Writ Petition, thus, stands dismissed.

8. The learned Special Judge is requested to decide the main application for restoration of the electric supply as expeditiously as possible, on its own

merits and in accordance with law, without being influenced by the impugned order and the dismissal of this Petition.

(N.J.JAMADAR, J.)

Signed by: S.S.Phadke
Designation: PS To Honourable Judge
Date: 06/01/2026 15:24:57