HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.14091 OF 2026 (GM-KEB)

BETWEEN:

S. LINGARAJ
S/O S. SHIVAPPA,
AGED ABOUT 46 YEARS,
OCC: BUSINESS,
R/O NAGANURU ROAD,
SHAMANUR(P),
DAVANGERE-577004.

...PETITIONER

(BY SMT ARCHANA MURTHY, ADVOCATE)

AND:

1. BANGALORE ELECTRICITY SUPPLY COMPANY (BESCOM)
K.R. CIRCLE, NRUPATHUNGA ROAD,
AMBEDKAR VEEDHI,
BENGALURU-560001.

2. EXECUTIVE ENGINEER (BESCOM),
DIVISION, DAVANGERE-577001.

3. ASSISTANT EXECUTIVE ENGINEER (ELECTRICAL),
O & M SUBDIVISION,
DAVANGERE-577001.

...RESPONDENTS

(BY SRI. LIKITH R PRAKASH, ADVOCATE)

Digitally signed by
MAHALAKSHMI B M
Location: HIGH
COURT OF
KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE DEMAND NOTICE ISSUED BY R-3 IN FILE NO. AEE/SE/(TAMAN)GRUV/SALEA/HE 7011-14 DATED 16.01.2026 VIDE

ANNEXURE-G AND THE ORDER DATED 17.02.2026 IN FILE NO. SAKANEIM(V)/SALEAA/HESA/K-61/8122-25 VIDE ANNEXURE-H.

THIS PETITION COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

Sri Likith R Prakash, learned counsel, accepts notice for the respondents.

2. The petitioner has approached this Court seeking to quash the demand notice dated 17.02.2026 (Annexure-H) issued by respondent No.3, whereby the back billing charges of Rs. 15,35,703/- has been levied and electricity supply to the petitioner's premises has been disconnected.

3. The petitioner is the owner of a multi-storied building, to which the electricity supply was sanctioned under LT-2 Tariff. The petitioner has been regularly paying electricity charges as demanded. Subsequently, respondent-authorities alleging misuse of tariff issued demand notices raising back billing charges. Thereafter, by

order dated 17.02.2026, the demand was confirmed and electricity supply to the premises was disconnected, leading to the present petition.

4. Learned counsel appearing for the respondents submits that there is an alternative efficacious remedy available under Section 127 of the Electricity Act, 2003 and the Writ Petition is not maintainable.

5. Learned counsel for the petitioner submits that the demand raised is arbitrary and illegal and the electricity supply has been disconnected without affording an opportunity of hearing and the petitioner seeks for restoration of electricity supply to enable him avail statutory remedy.

6. Having regard to the submission made, this Court finds that the impugned demand and order arise under the provisions of the Electricity Act, 2003. Section 127 of the Electricity Act, 2003, provides a statutory appellate remedy against such assessment orders. It is settled principle that when an effective alternative remedy is

available, this Court would ordinarily refrain from exercising jurisdiction under Article 226 of the Constitution unless exceptional circumstances are made out. The petitioner has not made out any exceptional grounds for warranting interference under Article 227. However, it is also to be considered that the electricity supply to the petitioner's premises has already been disconnected pursuant to the impugned action. In the circumstances, while relegating the petitioner to the alternative remedy, limited protection deserves to be granted to enable the petitioner to approach the appellate authority. Accordingly, the Writ Petition is ***disposed of*** with liberty to the petitioner to approach the Appellate Authority under Section 127 of the Electricity Act, 2003 within a period of four weeks from the date of receipt of the certified copy of this order. The respondents are directed to restore the electricity connection to the petitioner's premises forthwith. No coercive action shall be taken pursuant to

the impugned demand and order for a period of four weeks.

Liberty is reserved to the petitioner to seek exclusion of time under Section 14 of the Limitation Act, 1963 in accordance with law.

Sd/-

JUSTICE K.S. HEMALEKHA

CKL
List No.: 3 Sl No.: 1