



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(215)

CWP-15651-2026

Date of decision: - 23.06.2026

Sushma Valencia Apartment Owners Association

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gurminder Singh Dhot, Advocate
for the petitioner.

Mr. Sandeep Singh, AAG, Punjab.

Mr. Maninder Singh Garcha, Senior Advocate, with
Ms. Priyanka Malik, Advocate
for respondents No.2 and 3.

Mr. Pardeep Sharma, Advocate
for respondent No.4-GMADA.

VIKAS BAHL, J. (ORAL)

1. Present Civil Writ Petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus directing the respondent Nos.1 to 3 to issue electricity connection to more than 500 families residing in the housing project Sushma Valencia, Zirakpur as builder has abandoned the project without paying requisite charges to electricity distributor-respondent No.2.
2. On 05.06.2026, the Co-ordinate Bench of this Court was pleased to pass the following order: -

“Present: Mr. Gurminder Singh Dhot, Advocate for



applicant/petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Ms. Priyanka Malik, Advocate for respondents No.2 and 3.

Mr. Pradeep Sharma, Advocate for respondent No.4-GMADA.

Petitioner herein is an association of residents of Sushma Valencia Apartments who has approached this Court by way of present writ petition for directing respondents No.1 to 3 to issue electricity connections to more than 500 families residing in the said housing project in Zirakpur, because the directors of the builder/developer-respondent No.6-company, are stated to have abandoned the project and are absconding.

2. *Co-ordinate Bench of this Court, in its order dated 19.05.2026, observed as under:-*

“2. The Authorities granted license to respondent No.6-Suksha Developers Private Limited to develop a residential colony and construct apartments. Layout of the Project was approved by Chief Town Planner, Punjab. Builder’s license expired on 24.08.2023. PSPCL issued circular dated 11.09.2023 to the effect that residents of abandoned projects/colonies may be issued electricity connection. The Directors of respondent No.6 are at run. They have abandoned the project. Respondent No.3-Superintending Engineer has issued letter dated 02.04.2026 to Deputy Commissioner, SAS Nagar Mohali to declare Sushma Valencia an abandoned project. The respondent in a similar case has granted connection to residents of Sunny Enclave, Mohali where promoters of the project failed to deposit requisite charges. The petitioner Association vide representation dated 11.05.2026 has requested respondents to release individual electricity connection to the residents of the colony.

3. *Learned counsel for respondents No.2 & 3-PSPCL seeks a short accommodation to get instructions.*

4. *Adjourned to 15.07.2026.*

5. *In the meantime, PSPCL shall consider request of*



every resident of aforesaid project who is ready and willing to deposit requisite charges.”

3. *The petitioner-association has filed the present application for directing respondents No.2 and 3 to immediately issue electricity connections to 500 families, after receiving the requisite charges, in compliance of the order dated 19.05.2026.*

4. *A short reply along with Annexures R-1 to R-9, on behalf of respondents No.2 and 3 (PSPCL), to the said application has been filed today in the Court, which is taken on record.*

5. *Ms. Priyanka Malik, learned counsel appearing for respondents No.2 and 3, while referring to letter dated 22.05.2026 (Annexure R-4), which has been addressed to the petitioner-association, on instructions submits that if the members of the petitioner-association are ready to pay an amount of Rs.4,44,58,757/-, which does not including the penalty liability of Rs.43,55,463/-, respondents No.2 and 3-PSPCL would provide electricity connections to the consumers/members of the petitioner-association.*

6. *On the other hand, learned counsel for the applicant/petitioner association submits that out of total 900 flats, 700 dwelling units have already been constructed and in 125 residential units/flats, PSPCL is supplying the electricity which is being consumed by such consumers/residents of the petitioner-association.*

Further submits that firstly there is no legal liability of the residents of the dwelling units to pay the amount as demanded by respondents No.2 and 3-PSPCL as onus to pay such a hefty amount is of the developer/builder of the apartments, who is absconding. Secondly, even if normal payable charges of approximately Rs.5000/- to Rs.7000/- are collected by each and every resident, the demand raised by PSPCL won't be met out.

7. *The citizen of this country are residing in a welfare state and they cannot be left in lurch due to failure of the system/administration. In the scorching heat, which is being experienced in this part of the country now-a-days, a large number of human beings which also includes small children, old aged persons and females, cannot be left remediless and compelled to first fulfil all*



the rigmaroles of the technicalities to get regular electricity supply. Moreover, such people have invested their hard earned money with the hope to live in a shelter according to their stature.

8. *The builders/developers first of all allure people by showing lucrative projects and make them ready to invest their hard earned money in such projects. After collecting crores of rupees from such people and pocketing it, the net result comes out that on a fine day the responsible persons of the developer/builder absconds making the investors to suffer without any fault on their part.*

9. *In fact, it was bounden duty of the State machinery to develop a mechanism/rules/regulations beforehand, while issuing license/permissions to the builders that in a given situation as is accruing in the present case, how the respite would be provided to the consumers, to whom actually the services/shelters were to be provided by the State machinery through such builders, who is/are at run as on date.*

10. *Accordingly, this Court deems it appropriate to direct the Superintending Engineer or any other senior responsible officer of the respondent-PSPCL to convene a meeting with the concerned State authorities including GMADA to sort out the issue and thereupon apprise this Court the decision/ solution taken in this regard, especially keeping in view the difficulties faced by the members of the petitioner-association. The representatives of the petitioner-association can also be called to attend such meeting.*

11. **List on 19.06.2026.**

12. *Meanwhile, on payment of usual charges + Rs.20,000/- by each of the resident/consumer, temporary electricity connection would be provided by the respondent-PSPCL, till further orders. However, upon release of such temporary electricity connections, the consumers would be liable to pay further charges as may be leviable as per actual electricity consumption. It is further made clear that this would be a purely stop gap arrangement and would not give a right to the members of the petitioner-association for regularization of such temporary electricity connections into permanent one.*

13. *Let copy of the today's order be also provided to learned counsel for the States of Punjab and Haryana as well as*



Union Territory of Chandigarh.

05.06.2026”

3. Thereafter, on 19.06.2026, the Co-ordinate Bench of this Court was pleased to pass the following order: -

*“Present: Mr. Gurminder Singh Dhot, Advocate
for the applicant-petitioner.*

Mr. Gautam Thapar, Sr. DAG, Punjab.

*Ms. Priyanka Malik, Advocate
for respondents No.2 & 3.*

Learned counsel for respondents No.2 & 3 seeks short adjournment to file a detailed reply.

Learned counsel for the parties have also assured the Court that serious sincere efforts would be made to explore the possibility of finding a workable solution to the problem.

Heard.

Adjourned to 22.06.2026.

Meanwhile, parties to the main petition are directed to remain present in person in the Court on the date fixed.

A photocopy of this order be placed on the file of another connected case.

19.06.2026”

4. Learned senior counsel appearing for respondents No.2 and 3 has submitted that the petitioners are now wanting that the permanent connections be given to them. It is further submitted that for the said purpose, a total expense of Rs.5,00,55,000/- is involved. It is argued that, however, in case the petitioner sets up the internal LD system of their own to the satisfaction of the respondent authorities, then, the total amount which the petitioner would be required to pay would be



Rs.2,17,00,000/- and in case the said amount is paid, then, respondents No.2 and 3 will do all the required acts for the purpose of supply of electricity to the residents of the petitioner association.

5. Learned counsel for the petitioner has submitted that the petitioner association would install the internal LD system at their own expense by engaging private approved contractor. It is further submitted that the same would be done to the satisfaction of the respondent authorities. It is further submitted that the said internal LD system would be installed by the petitioner through the independent contractor within a period of three weeks from today and an undertaking to the said effect would also be given by the petitioner to the respondent authorities within a period of one week from today. It is stated that an amount of Rs.2,17,00,000/- would also be given by the petitioner association to the competent authority of the respondent within a period of three weeks from today. It is submitted that the respondent authorities be requested to complete the entire process as expeditiously as possible.

6. Learned senior counsel for respondents No.2 and 3 has submitted that in case the petitioner does the needful as stated herein above, then, they would complete the entire process of supplying electricity to the petitioner subject to the internal LD system being of the approved standard within a period of four weeks from the date of payment of the money.

7. Keeping in view the above-said facts and circumstances and the fair stand taken on behalf of the petitioner as well as the contesting



respondents, the present writ petition is disposed of with the following directions/observations: -

- (i) Petitioner, as undertaken before this Court, would install the internal LD system at their own level through an independent approved contractor as expeditiously as possible, preferably within a period of three weeks from today.
- (ii) Petitioner would also give an undertaking before the authorities within a period of one week from today to the effect that they would install the internal LD system within the aforesaid period in accordance with the established norms and in case of their doing so, there would be no requirement for the petitioner to give a bank guarantee.
- (iii) Petitioner would also deposit an amount of Rs.2,17,00,000/- within a period of three weeks from today with the competent authority of the respondents.
- (iv) On the deposit of the said amount, the respondents No.2 and 3 would take all possible steps to supply electricity to the members of the petitioner association as expeditiously as possible, preferably within a period of four weeks from the deposit of the said amount.

June 23, 2026

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**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes
No