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

CWP-24560-2025

Date of decision:-25.08.2025

Amarjit Kaur and others

...Petitioners

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr. Suresh Singla, Advocate
for the petitioners.

Mr. Sangam Garg, Advocate
for respondents No.1 and 2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed, *inter alia*, for issuance of a writ in the nature of mandamus, seeking direction to Sub Divisional Officer, respondent No.2, to restore electricity supply to the residential premises of the petitioners. Another prayer has been made for issuance of a writ in the nature of certiorari for setting aside impugned notice dated 24.06.2025, Annexure P6, as a consequence of which electricity supply to the residential premises of the petitioners has been disconnected.

2. Counsel for the petitioners states that petitioners are



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residing in a house which is in the name of Sukhvir Singh, respondent No.3, husband of petitioner No.1. Counsel submits that there is a marital discord between respondent No.3 and the petitioner No.1, who has filed a petition under Section 144 BNS seeking maintenance of Rs.20,000/- per month besides litigation expenses. Counsel points out that by order dated 10.03.2025, Annexure P2, Family Court, Malerkotla, granted an interim maintenance of Rs.8,000/- per month to the petitioner No.1. Counsel states that respondent No.3 executed an agreement to sell residential premises and in order to safeguard her interest, as well as that of the minor children, a civil suit, Annexure P3, has been filed seeking declaration to the effect that the suit property is a joint Hindu family property. He submits that a cross suit has been filed by respondent No.3 for mandatory injunction seeking vacation of the residential house. Counsel asserts that respondent No.3 moved an application dated 02.06.2025, Annexure P4, for disconnection of the electricity supply and when the petitioners came to know about it, they filed an application, Annexure P5, requesting the respondents – authorities not to do so. Counsel submits that impugned notice dated 24.06.2025, Annexure P6, has been issued to the petitioners proposing disconnection of the electric supply. Counsel submits that another civil suit, Annexure P7, has been filed by the petitioners for declaration to the effect that the impugned notice, Annexure P6, is illegal. He asserts that Gram Panchayat of the village is supporting the petitioners. Counsel submits that during the



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pendency of the suit, respondents – authorities have disconnected the electric supply on 07.08.2025. Asserting that the petitioners are entitled to the restoration of the electricity supply, petitioners have approached this Court.

3. I have heard counsel for the parties and also considered their respective submissions.

4. Concededly a civil suit, Annexure P7, challenging the impugned notice, Annexure P6, has been filed by the petitioners, which is pending. Although the petitioners have not appended the orders passed by the Trial Court with the instant petition, but it seems that petitioners were not granted any interim protection by the Trial Court. During the pendency of the suit, respondents – authorities have disconnected the electric supply. The remedy available to the petitioners is therefore to approach the Civil Court by moving appropriate application. Writ petition under Article 226 of the Constitution of India is not the recourse available to the petitioners.

5. Writ petition is, therefore, dismissed as not maintainable.

6. Liberty is granted to the petitioners to avail the remedy available to them in accordance with law.

(SUVIR SEHGAL)
JUDGE

25.08.2025
Brij

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No