

**Smt. Poonam Singh, Santosh Kumar Singh and Sandhya Singh Vs The  
Jharkhand State Electricity Board, Tata Steel Ltd. Jamshedpur,  
Jamshedpur Utility Services Ltd. (JUSCO) and Adarsh Sahkari Grih  
Nirman Swablambi Samiti Ltd.**

**Court:** Jharkhand High Court

**Date of Decision:** Nov. 25, 2010

**Acts Referred:** Bihar Self Supporting Co-operative Societies Act, 1996 & Section 50  
Electricity Act, 2003 & Section 56

**Hon'ble Judges:** R.K. Merathia, J

**Bench:** Single Bench

**Final Decision:** Dismissed

### Judgement

R.K. Merathia, J.

The grievances of the Petitioners is against Respondent no. 4 - Adarsh Sahkari Grih Nirman Swablambi Samiti Ltd.,

Jamshedpur that it cannot disconnect the electricity and water supply of the Petitioners. But it is submitted by Mr. Sachin Kumar that in terms of

Section 56 of the Electricity Act, 2003, JUSCO is to ensure that Respondent No. 4 does not disconnect the electricity and water supply except

for any dues. He further submitted that the jurisdiction of the Civil Court is barred u/s 50 of the Self Supporting Cooperative Societies Act.

2. Mr. M. S. Mittal, learned senior counsel for JUSCO pointed out that Petitioners moved other authorities, but they did not interfere with the

matter saying that the dispute is between the Petitioners and the Society.

3. In my opinion, this writ petition is wholly misconceived as the main grievances of the Petitioners are against the Secretary-Adarsh Sahkari Grih

Nirman Swablambi Samiti Ltd., Jamshedpur Respondent No. 4. Admittedly, Petitioners are members and are residing in the premises, allotted to

them by the Society, and there is dispute between them regarding construction charges, etc. The Society gets electricity from JUSCO and the

members get electricity from the Society. If the Society has disconnected electricity and water supply, it cannot be said that u/s 56 of the Electricity

Act 2003, JUSCO has to ensure electricity and water supply to the Petitioners. Nothing has been shown under which JUSCO is obliged to do so.

4. So far as bar of jurisdiction of Civil Court is concerned, in my opinion for the nature of disputes involved, Civil Court jurisdiction is not barred.

5. In the result, this writ petition is dismissed.