

**THE HIGH COURT OF MEGHALAYA  
AT SHILLONG.**

**W.P.(C) NO.(SH)70/2012**

1. Smti. Angela Mawkhiew.
2. Shri.Robert Mawkhiew.  
Both residents of Nongrimmaw, Laitumkhrah,  
Shillong.
3. Shri.J. Phillip Mawkhiew,  
Demthring, Shillong. :::: Petitioners

- Vrs -

1. The Meghalaya Energy Corporation Ltd.,  
represented by its Managing Director,  
Lumjingshai, Meter Factory, Shillong.
2. The Executive Engineer,  
Meghalaya Energy Corporation Ltd.,  
Shillong.
3. Smti.Anita Mawkhiew,  
Nongrimmaw, Laitumkhrah,  
Shillong. :::: Respondents

**BEFORE  
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH**

For the Petitioners : Mr. AS Siddiqui, Adv

For the Respondents : Mr. KS Kynjing, Sr. Adv for respdt.No.1&2  
Mr. H Kharmih, Adv,  
Mr. S Sen Gupta, Adv for respdt.No.3

Date of hearing : **27.06.2013**

Date of Judgment & Order : **27.06.2013**

**JUDGMENT AND ORDER(ORAL)**

Heard learned counsel appearing for the parties.

2. The only grievance in the present writ petition is that the Meghalaya Energy Corporation Ltd. (for short 'Me.E.C.L. '), had provided the electricity

connection to the respondent No.3 i.e. the private respondent, without fulfilling the necessary requirements for getting the electricity connection. Mr. AS Siddiqui, learned counsel appearing for the petitioners contended that the respondent No.3 should not be provided with the electricity connection, inasmuch as, the respondent No.3 is not the owner of the premises where the electricity connection had been provided by the Me.E.C.L., Shillong. He also further contended that the respondent No.3 had approached this Court by filing a writ petition i.e. WP(C)No.(SH)359/2011, for giving a direction to the Me.E.C.L. to give electricity connection to the present premises occupied by the respondent No.3.

**3.** It is nobody's dispute that the respondent No.3 is seeking electricity connection for the present premises occupied by her. In this regard, Mr. AS Siddiqui, learned counsel appearing for the petitioners contended that the earlier writ petition i.e. WP(C)No.(SH)359/2011, was also in respect of the same premises and that the said writ petition was dismissed vide order of this Court dated 22.12.2011 passed in WP(C)No.(SH)359/2011, which reads as follows:-

**“22.12.2011**

*Heard Mr. S Sen Gupta, learned counsel for the petitioner.*

*At the outset Mr. H Kharmih, the learned counsel for the Corporation raises preliminary objection against the maintainability of the writ petition on the ground that the MECL which is a necessary party, is not impleaded as party respondent. He also contends that the agreement for supplying/continuing the supply of electricity connection was based on forgery inasmuch as the signature of the consumer, who had already died has been forged by the petitioner. In my opinion, the contentions raised by the learned counsel for the respondents have force. Under the circumstances, the writ petition is not maintainable and is also devoid of merit and is accordingly dismissed at the threshold. Liberty is however given to the petitioner to approach the Corporation for signing fresh agreement in her name and not in the name of her deceased mother. “*

4. In the present case, learned counsel appearing for the petitioners contended that the Me.E.C.L. had supplied the electricity connection to the respondent No.3 for the present premises, for which, there are some civil suits. He also further contended that the documents which are to be annexed in the application for electricity connection to the present premises had not been annexed by the respondent No.3. This matter is to be decided by the Me.E.C.L. and not by this Court.

5. It would be profitable to reproduce a copy of the application form for supplying of electricity connection, which reads as follows:-

**“APPLICATION FORM FOR PROVIDING LT.SERVICE CONNECTION  
(FOR ALL CATEGORY AND FOR ALL PURPOSE)**

To,

The Area Manager / Asst. Executive Engineer  
Service Connection Sub-Division / \_\_\_\_\_ Distribution Sub-  
Division MeECL\_\_\_\_\_

*(Indicate the local area of the jurisdiction of the Engineer of the licensee)*

Sir,

1. I / We hereby request you to supply electricity to the premises located at the address more fully described below. I / We are the owner/lawful occupier of the premises.

2. I / We agree to abide by the terms and conditions relating to the supply of electricity by MeECL and to make all payments as may be required and also to pay regularly all charges as may become due.

3. (a) Full name and address of the applicant with contact telephone number.

(b) Status in relation to the premises

Owner

Occupier

(c) Location and address of the premises including Police Station.

(d) Nature of LT supply:

Commercial	<input type="checkbox"/>
Domestic	<input type="checkbox"/>
Industrial	<input type="checkbox"/>
General Purpose	<input type="checkbox"/>
WSLT	<input type="checkbox"/>
PL	<input type="checkbox"/>
Agriculture	<input type="checkbox"/>
KJ	<input type="checkbox"/>

Date:

Applicant's Signature.

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*NB: The following documents are to be enclosed:*

1. *Test Report from Licensed contractor.*
2. *Agreement Form duly filled in.*
3. *Proof of ownership (in case the applicant is owner).*
4. *Number of the nearest Electric Pole.*
5. *NOC of the owner of the premises (in case the applicant is an occupier).*
6. *Attested copy of permission obtained from Pollution Control Board.*
7. *Building permission from the concerned authority.*

6. In the above factual backdrop, the petitioners are directed to approach the Managing Director, Me.E.C.L., Shillong by filing necessary application or representation ventilating their grievances against the supply of electricity to the respondent No.3 for the premises which according to the writ petitioners, there are some disputes and also non-fulfillment of the conditions by the respondent No.3 required for supplying of electricity connection to the present premises within a period of two weeks' from today.

7. The Managing Director, Me.E.C.L., Shillong is directed to dispose of the representation/complaint, if filed by the petitioners, within a period of one

month from the date of receipt of the representation/complaint by passing a reasoned order.

**8.** It is made clear that the Managing Director, Me.E.C.L., Shillong is at liberty, if required, to hear both the parties in person in deciding or disposing of the representation/complaint filed by the petitioners.

**9.** With the above observations and directions, this writ petition stands disposed of.

**JUDGE**

L.M.