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**SUSHMA VALENCIA APARTMENT OWNERS ASSOCIATION
VS
STATE OF PUNJAB AND OTHERS**

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

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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.

(SANJAY VASHISTH)
JUDGE

05.06.2026
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