

**Order passed below Exh. No.1.**

Holding that, unless audience is given to the Deft/s. interim relief cannot be granted, matter is posted on today. Today, also the Deft/s. not filed Say, sought short time. The Ld.Adv. for the Plff. is pressing hard for grant of interim relief, to which the Ld.Adv. for the Deft/s. strongly objected. (merely on the basis of appearance – without filing any Say) both the Ld.Adv. for the Deft/s. availed fullest opportunity to address to the Court. Heard, elaborately.

2. Primary objection is as regards issuance of mandatory notice U/ Sec.80 of the CPC, very maintainability of the present suit, express bar as per the provisions of Electricity Act.

3. Whether electricity board/Deft.No.3 is construed as “State”, “Govt”, “Public Office”, “Corporate Body” within the meaning of Art.12, Is it mandatory to serve Notice U/Sec.80 and all cognate aspects will be taken into consideration at appropriate stage. Whether Electricity Board without acquiring lands or without obtaining consent of owners of land can lay or erect electric supply lines or pole, if done so, whether the land owner are remediless all these aspects will be taken into consideration at appropriate stage. At this stage, I do not see nature of injury as irremediable mischief. Hence, matter is stand over to 28-06-2023; till then Deft/s. at least place on record written Say to Appln. at Exh.5; failing which Appln. will be disposed off on its on merit.

(Ganesh A. Ghule)  
3<sup>rd</sup> Jt. Civil Judge, Jr.Divn.,  
Ichalkaranji, Dist.Kolhapur.  
J.O.Code : 2594

Date : 23-06-2023.