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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 344/2013 & CM APPL. 716/2013

PHOOLA WATI Petitioner
Through: Mr. V.K. Goel, Advocate.

versus

BSES YAMUNA POWER LTD Respondent
Through: Mr Anupam Varma, Advocate with
Mr. Nihil Sharma and Mr. Rahul Kinra,
Advocates.

And

+ W.P.(C) 631/2013 & CM APPL. 1200/2013

KUNTI MAVI Petitioner
Through: Mr. V.K. Goel, Advocate.

versus

BSES YAMUNA POWER LTD Respondent
Through: Mr Anupam Varma, Advocate with
Mr. Nihil Sharma and Mr. Rahul Kinra,
Advocates.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
30.11.2015

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Present writ petitions have been filed seeking restoration of supply of electricity at petitioners' premises situated in Mela Ram Farm, Mandoli, Delhi-110093.

Learned counsel for petitioners states that previously BSES Yamuna Power Limited was supplying electricity to the petitioners. He also states that as the

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petitioners' registered sale deeds have been executed in Delhi, the petitioners' properties fall within the territorial jurisdiction of Delhi.

On the other hand, learned counsel for respondent states that Mela Ram Farms is situated on the Delhi-U.P. Border and part of the colony is in Delhi and part of the colony is in U.P. He further states that the Ombudsman in its report has recommended to the Regulator that no consumer living beyond the boundary of Delhi be given an electricity connection by the Delhi Discoms. In the said report, the Ombudsman has recommended that the existing connections wrongly given be withdrawn.

Learned counsel for respondent points out that the Local Commissioner appointed by this Court in W.P.(C) 4702/2012 has stated that an electricity transformer of U.P. Power Authorities was situated at the distance of approximately eight meters from the gate of Mela Ram Farm and that some residents in the complex are being supplied electricity from U.P. Power Authorities.

Consequently, this Court is of the view that a serious factual dispute as to the location of the petitioners' premises arises in the present proceedings. Accordingly, no relief can be granted to the petitioners in the present proceedings.

However, the petitioners are given liberty to file petitions seeking demarcation by Delhi and U.P. Government Revenue officials.

With the aforesaid liberty, present writ petitions and applications stand disposed of.

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MANMOHAN, J

NOVEMBER 30, 2015

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