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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2028/2015**

OM PRAKASH

..... Petitioner

Through: Mr Shambhu Sharan Shukla, Adv

versus

STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Mr. Satyakam, Addl. Standing
Counsel with Mr Vinay Singh
Tanwar, Advocate for R-1.
Mr.Tenzing Tsering, Advocate for
R-2/NDPL

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **02.05.2016**

W.P.(C) 2028/2015

1. The petitioner is seeking the domestic electricity connection in property bearing No.388, A-Block, Baba Colony, Salempur Majara, Burari, Delhi which is being objected to by his brother, respondent No.2, who claims to have inherited the subject property from his father.

2. In the facts and circumstances of this case and considering that the petitioner is in possession of the subject premises and the electricity is a basis requirement, the petition is allowed and respondent No.1 is directed to sanction an independent electricity connection in the petitioner's name subject to the following conditions:-

i. The petitioner shall submit a fresh application with respondent No.1 for an electricity connection which shall be processed as per rules and other commercial formalities but without insisting

on the NOC from the respondent No.2.

- ii. The petitioner shall deposit Rs.15,000/- additional security deposit with respondent no.1 apart from normal security deposit.
 - iii. The petitioner shall regularly pay the consumption charges to respondent No.1.
 - iv. The security deposit shall not be adjusted against the payment of current normal security deposit.
 - v. The security deposit shall be refunded to the petitioner without interest as and when the petitioner vacates the premises subject to the adjustment of arrears at that stage.
 - vi. Respondent No.1 shall be entitled to disconnect the electricity in the event of non payment of current dues.
 - vii. The petitioner shall furnish the particulars of its bank account to respondent No.1.
 - viii. The respondent no.1 shall energise the fresh connection within 3 days after completion of all requisite formalities.
 - ix. This order shall not prejudice the petitioner and respondent No.2 with respect to their *inter se* disputes. The petitioner shall not claim any special equities on the basis of this electricity connection.
3. The pending application is disposed of.
 4. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J

MAY 02, 2016

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