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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1188/2016

LAIQ AHMAD HASHMI Petitioner
Through: Mr. S. Mukerjee, Adv.

versus

BSES & ANR. Respondents
Through: Mr. Deepak K. Vijay, Adv. for R1.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

% **ORDER**
15.02.2016

1. The petitioner is a tenant under the respondent No.2 in respect of the flat No.9, 4th Floor, 3226-27, Kucha Tara Chand, Darya Ganj, New Delhi-02. Learned counsel for the petitioner submits that respondent No.2 was providing the electricity supply through a connection in her name. However, disputes have arisen between the parties due to which respondent No.2 has disconnected the electricity supply in October, 2015, whereupon the petitioner applied for an independent electricity connection in his name but the respondent No.2 has not given the NOC and, therefore, the petitioner is without an electricity connection. The petitioner is seeking an electricity connection without the NOC from respondent No.2.

2. In the facts and circumstances of this case and considering that the petitioner is in settled 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 but without insisting on the NOC from the respondent No.2.

- ii. The petitioner shall deposit three months security deposit with respondent no.1.
 - 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 evicts or 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 his permanent address or bank account to respondent No.1.
 - viii. This order shall not prejudice the petitioner and respondent No.2 with respect to their *inter se* disputes.
3. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

FEBRUARY 15, 2016
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