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

+ W.P.(C) 1645/2016

M/S G.R. MECHANICAL WORKS PVT LTD Petitioner
Through: Mr. S.K. Chaturvedi, Mr. Malay P.
Dwivedi, Advs.

versus

BSES RAJDHANI POWER LIMITED AND ORS..... Respondents
Through: Mr. Deepak Pathak, Adv. for BSES

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

ORDER

% **01.04.2016**

1. The petitioner is a tenant under the respondents No.2 and 3 in respect of property bearing No.487/59, Village Piragarhi, Delhi-110087. The petitioner applied for fresh independent electricity connection in its name but the respondents No.2 and 3, landlord have not given the NOC and respondent No.1 is not granting fresh connection in the absence of NOC of owner/ownership document and therefore, the petitioner is without an electricity connection. The petitioner is seeking an electricity connection without the NOC from respondent No.2 and 3.

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 and other commercial formalities but without insisting on the NOC from

the respondents No.2 and 3.

- ii. The petitioner shall deposit Rs.50,000/- 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 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 its bank account to respondent No.1.
 - viii. The respondent no.1 shall energise the fresh connection within 48 hours after completion of all requisite formalities.
 - ix. This order shall not prejudice the petitioner and respondents No.2 and 3 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.

APRIL 01, 2016

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