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

+ W.P.(C) 8026/2016 & C.M.No.33303/2016

RAJINDER KAUR

..... Petitioner

Through Dr.R.S.Sasan, Advocate.

versus

BSES RAJDHANI POWER LTD. & ORS.

..... Respondents

Through Mr.Deepak Pathik, Advocate for
BSES.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.09.2016

Present writ petition has been filed seeking a direction to respondent no. 1-BSES to install a new meter in petitioner's name and and/or restore the electricity connection in the premises bearing no.WZ-3A/1 A, Mukherjee Park, Tilak Nagar, New Delhi.

It has been averred in the petition that the petitioner is an NRI and owner of the aforesaid property. It is further stated that since the petitioner wanted to evict the tenant at the first floor, she took help of respondent nos. 2 and 3 for the same.

It is further stated that in June 2016 the petitioner came to know that respondent nos. 2 and 3 had forged a power of attorney alleged to have been executed by the petitioner. On discovering the said fact, the petitioner filed a suit being CS No.612737/2016 for declaration and permanent injunction against respondent nos. 2 and 3 which is pending adjudication.

Learned counsel for the petitioner states that respondent-BSES is denying electricity connection on the ground that ownership of the property is in dispute.

Neither in the list of dates nor in the writ petition has it been mentioned that respondent nos. 2 and 3 are none the else but the daughter and son-in-law of the petitioner.

In any event as the petitioner has already filed a civil suit against the said respondents, this Court is of the view that the relief with regard to electricity connection should also be sought in the civil suit. For this purpose, the petitioner may even implead the BSES Rajdhani Power Limited in the said suit.

In view thereof, the present writ petition and the application are disposed of with liberty to the petitioner to seek the relief in the suit that is already pending between the parties.

Order *dasti*.

MANMOHAN, J

SEPTEMBER 09, 2016
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