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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 10447/2016

VIJAY KUMAR JAIN

..... Petitioner

Through Mr.Kshitiz Mahi Pal, Advocate.

versus

BSES YAMUNA POWER LIMITED & ORS Respondents

Through Mr.Deepak K.Vijay, Advocate for
BSES.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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07.11.2016

Present writ petition has been filed seeking a direction to the respondent-BSES to grant new electricity connection at premises bearing No.B-14, Outer, New Vikas Nagar, Shahdara, Delhi.

It has been averred in the petition that petitioner is the tenant at the aforesaid premises and vide application dated 16th October, 2015, he had applied for an independent electricity connection under non-domestic category.

It has been further averred that vide letter dated 03rd November, 2015, respondent-BSES rejected petitioner's application on the ground that property papers and NOC from the landlord had not been furnished.

Learned counsel for petitioner states that petitioner-tenant is not in a position to obtain the property papers and NOC from respondent

No.2-landlord as there was a civil litigation in respect of the aforesaid premises which was dismissed in favour of the petitioner-tenant.

However, neither the exact litigation between the parties nor the judgment of any subordinate court has been placed or disclosed. Further, in the course of argument, learned counsel for petitioner admitted that eviction proceedings are pending adjudication against the petitioner under the Delhi Rent Control Act, 1958.

Consequently, this Court is of the opinion if the petitioner is of the view that electricity connection has been illegally withheld by the landlord, then the petitioner is at liberty to file appropriate proceedings under the Delhi Rent Control Act, 1958.

With the aforesaid liberty, present writ petition stands disposed of.

MANMOHAN, J

**NOVEMBER 07, 2016
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