

\$~A-71

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

+ CM(M) 1267/2016

MOHAN SINGH Petitioner
Through Mr.Sanjay Padam Jain and
Mr.Kanishk Arora, Advocates

versus

PUSHPA PATEL & ORS Respondents
Through Mr.Vivek, Advocate for R-1 & R-2
Ms.Vasundhara Nayyar, Advocate for North
DMC/R-4 & R-5

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **07.12.2016**

CM No.45566/2016 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 1267/2016 & CM No.45565/2016 & CM No.45567/2016

1. By the present petition under Article 227 of the Constitution of India the petitioner seeks to impugn the order dated 1.12.2016. The trial court on 5.7.2016 had directed the electricity company PPDDL to restore the electricity supply of the petitioner.
2. On 1.12.2016 in the impugned order the trial court observed that the petitioner has no exclusive right over the stairway. The plaintiff also submitted that earlier the electricity meter was installed in his portion at the ground floor but the new electricity meter has been installed in the stairway, which is a different place from the place where previously the electricity

meter was installed. The trial court concluded that this was a gross misuse of the legal process and a direction was issued to the electricity company to shift the electricity meter from the stairway to the place where it was earlier inside.

3. Learned counsel appearing for the petitioner has vehemently argued that the electricity meter has been installed at the same place where it was earlier installed and the impugned order has erroneously directed shifting of the meter.

4. However, the impugned order shows that the plaintiff has admitted that the electricity meter has been installed in a new place in the staircase and earlier it was installed in his portion of the ground floor.

5. I see no infirmity in the impugned order. The petition is dismissed. All pending applications, if any, also stand disposed of.

JAYANT NATH, J

DECEMBER 07, 2016
N