

\$~45

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

+ W.P.(C) 901/2018

BALESHWHAR CHAUDARY

..... Petitioner

Through: Mr Sushil Kumar Jain, Advocate.

versus

BSES RAJDHANI POWER LTD. & ANR

..... Respondents

Through: Mr Sunil Fernandes, Standing counsel
for BSES RPL with Mr Arnav
Vidyarthi, Advocates for R-1.
Mr Anupam Srivastava, ASC for
GNCTD with Ms Shreya Mehta,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **31.01.2018**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“(a) issue a writ, order or direction In the nature of Mandamus thereby directing the respondent No. 2 not to harass the petitioner on the false complaint of respondent no. 1.”

2. It is the petitioner's case that a complaint had been made against him for theft of electricity at house no.163, Alla Mohalla, Tehkhand, Okhla Industrial Estate-I, New Delhi-110020. He states that this is an apparent mistake because he does not reside in house no.163 and is resident of house no.105. He states that he is not involved in any theft of electricity and it is apparent mistake on the part of respondent no.1 in filing a complaint and on

the part of respondent no.2 in investigating the same.

3. The above contention is unmerited as the copy of the complaint handed over by the learned counsel for the respondents indicates that the criminal complaint is against “Baleshwar (User), at premises Opp. H.No.163, Village Tehkhand, Okhla Industrial Estate-I, New Delhi-110020”; and not theft at H.No. 163. It is stated that the premises opposite H.No 163 are in the possession of the petitioner. The learned counsel further submits that as a normal practice video recording is also done at the time of inspection of the premises and a CD of the said recording has also been furnished to the police authorities.

4. In view of the above, no interference is called for by this Court. The police authorities shall conduct the investigation and proceed in accordance with law.

5. The petition is disposed of.

6. Order *dasti*

VIBHU BAKHRU, J

JANUARY 31, 2018
MK