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

+ **W.P.(C) 5505/2006**

YAMUNA CHAND

..... Petitioner

Through: In person.

versus

BSES RAJDHANI POWER LTD.

..... Respondent

Through: Mr. Manish Srivastava and
Ms. Moulshree Shukla, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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31.07.2018

1. The present petition has been filed by the petitioner with the following prayers:

“It is, therefore, most respectfully prayed that this Hon’ble Court may be pleased to:-

- a) Quash the impugned supplementary bills for alleged theft of electricity,*
- b) Hold the inspection reports dated 15/02/05 and 15/03/05 to be false and fabricated.”*

2. It is the case of the petitioner that her husband Sh. Prithvi Raj Singh, an employee of the SFF, a force under the Cabinet Secretariat, Government of India was allotted an official accommodation being S-12/345, R.K. Puram, New Delhi, and an electric connection being K. No. 2550L5210423 with Meter No. 23184490 was installed.

3. It is the grievance of the petitioner that without disclosing any reason,

respondent had removed the meter from the premises and had fabricated the charges of direct theft of electricity against the husband of the petitioner between the period February, 2005 to March, 2005.

4. It is the case of the respondent that because of the theft of electricity on two occasions, they had raised two bills as per the extent rules, the details of which are as under:

1. Bill No. AGENF280320050034 amounting to ₹25,494/-

2. Case ID. No. AG25020500099 amounting to ₹1,16,244/-.

5. When the matter was listed on May 9, 2006 on an application filed by the petitioner, this Court had passed an order that subject to deposit of ₹10,000/- by the petitioner, electricity supply would be restored. There is no dispute that the electricity supply has since been restored. The only issue which subsists is whether the petitioner is entitled to pay the amount as mentioned in the aforementioned bills. On being asked by this court to seek instructions, whether amounts against the aforesaid bills can be reduced, Mr. Manish Srivastava, learned counsel appearing for the respondent has taken instructions and according to him, respondent has agreed to claim the bills on the following basis:

1. ₹4,250/- against Bill No. AGENF280320050034

2. ₹36,700/- against Case ID. No. AG25020500099

6. The said amounts are after adjustment of ₹10,000/- already deposited by the petitioner. Petitioner who is present in the court has left it to the court to do complete justice.

7. Having considered the record and the submissions made by the

petitioner and Mr. Srivastava, this court is of the view that the amount of ₹30,950/- as being claimed, is just and reasonable in the facts of this case. Accordingly, petitioner is directed to deposit the same within two weeks from today. It goes without saying that petitioner shall also deposit the current consumption charges, so that nothing remains payable against the connection. On deposit of the said amounts, “*No Objection Certificate*” shall be issued to the petitioner within two days thereafter.

8. In view of the above, nothing further survives in the petition. The petition stands disposed of.

CM Nos. 5692/2006 (for amendment) & 4506/2006 (for interim relief)

Dismissed as infructuous.

V. KAMESWAR RAO, J

JULY 31, 2018/jg