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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 388/2018**
MANJU GUPTA

..... Petitioner

Through: Mr.Parvinder Chauhan, Adv. with
Mr.Nitin Jain, Adv.

versus

DEVKI NANDAN & ANR

..... Respondent

Through: Mr.V.D.Mishra, Adv., Mr.N.Roy,
Adv.
Mr.Ashish Verma, Adv. for TPPDL

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **01.06.2018**

On 07.05.2018, this Court had passed the following order in W.P.(C)

3505/2018:

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

“In view of the facts stated and submissions made hereinabove it is most respectfully prayed to this Hon’ble Court that this Hon’ble Court may kindly be pleased to:

- A. Issue a writ, order or direction thereby commanding / directing the respondent No.1 to install separate connection at the subject premises i.e. First Floor of K-2/1, Model Town-II, New Delhi-110009, against Request No.002011444425, in the name of petitioner;*
- B. Award the cost of the proceedings in favour of petitioner and against the respondents;*
- C. Pass such other or further order(s) those this Hon’ble Court may deem and proper in the facts and circumstances of the*

present case.”

Respondent No.2 has been served and represented through his counsel.

After hearing counsel for the parties for sometime, it is agreed between the petitioner and the respondent No.2 that the respondent No.2 shall apply for a fresh connection within three days for the first floor of property No. K-2/1, Model Town-II, New Delhi with the respondent No.1 by following necessary commercial formalities. If that be so, on such application, the respondent No.1 shall grant the connection to the first floor of the property as referred above.

Learned counsel for the respondent No.2 states, there would not be any interruption in the electricity at the first floor of the property. The learned counsel for the petitioner also states that the petitioner shall continue to pay the electricity bills for consumption of electricity in future. The statements are taken on record.

It is made clear that the aforesaid is without prejudice to the rights and contentions of the parties in CS No. 537852/2016 pending in the Rohini Court. It is also made clear that this Court has not expressed itself, with regard to the title of the property in question.

The petition is disposed of.

CM No. 13831/2018

Dismissed as infructuous.

Dasti to both the parties under the signature of the Court Master”.

Pursuant to the said order, the Court has been informed that the respondent No. 1 has applied for a new electricity connection for the first floor of the property in question. This aspect is conceded by the counsel for the respondent No. 2, who states that a new connection could not be granted as there are certain dues to the extent of ₹ 1,66,544/- outstanding against the

property. This aspect is conceded by the counsel for the respondent No. 1, who states that the said bill is under challenge before the Civil Judge, Rohini Courts, Delhi. If that be so, this Court is of the view that the petitioner shall pay the 50% amount of ₹ 1,66,544/-, on or before June 5, 2018. On such payment, and complying with the commercial formalities in terms of order dated May 7, 2018, the connection shall be granted forthwith. It is made clear that 50% amount of Rs. 1,66,544/-, to be deposited, by the respondent No. 1 shall be without prejudice to his rights and contentions and subject to the litigation pending between the respondents inter se, before different forums.

Learned counsel for the parties agree that the meter shall be installed at the first floor of the property, subject to technical feasibility.

The petition is disposed of in terms of the above. In case of any failure on the part of the respondents to comply with this order, liberty is with the petitioner to revive the contempt petition.

Order dasti.

V. KAMESWAR RAO, J

JUNE 01, 2018/akb