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

+ **W.P.(C) 9256/2014**

ANITA SABHARWAL

..... Petitioner

Through: Ms. Amrit Kaur Oberoi, Adv. with
Mr. Siddharth Bhardwaj, Adv.

versus

DELHI JAL BOARD & ANR.

..... Respondents

Through: Dr. Monika Gusain, Adv. with Mr.
Ram Kumar Tripathi, Adv. for DJB

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **10.04.2018**

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

“In the circumstances, it is most respectfully prayed that this Hon’ble Court may kindly be pleased to:

- a) Issue an appropriate writ, order or direction, more particularly with of certiorari whereby quashing / setting said all the impugned bills sent to the petitioner since 2012 wherein the respondents have shown the premises of the petitioner under category-II instead of category IA which is now being shown as category B under the notification pertaining to water tariff applicable from 01.01.2014.*
- b) Issue a writ of mandamus, thereby directing the respondents to issue correct water bills to the petitioner since 2012.*
- c) Pass such further order/orders as this Hon’ble Court may deem fit and proper under the facts and circumstances of the case.*
- d) Cost of proceedings.”*

2. During the course of hearing, learned counsel for the petitioner made two submissions; (i) that even though the respondents have made a claim of Rs.70746/-, the petitioner is entitled to rebate under Delhi Government Scheme whereby the petitioner has deposited the amount of Rs. 32263/-. She would be satisfied if the said amount is treated as final amount without any further claim and; (ii) that in terms of notification dated August 10, 2015 whereby it has been decided to abolish mixed-use-category and the existing mixed-use-consumers like the petitioner would require to apply to the respective Zonal Review Officers for either getting their category changed to domestic by furnishing an undertaking along with supporting documents or by converting existing connection to commercial and apply for a new connection for residential purposes or vice-versa. Learned counsel for the petitioner states, the petitioner be granted an opportunity to apply for conversion of the connection to domestic, as she could not apply in view of the pendency of the writ petition.

3. Learned counsel for the respondents on instructions state, on the aspect the amount of Rs. 32263/- is concerned the same shall be treated as a final payment. Further, if the petitioner applies for domestic connection by

stating she is running a General Clinic, her case shall be considered for conversion to domestic connection henceforth. These submissions are acceptable to the learned counsel for the petitioner, and they are taken on record and the respondents shall be bound by the same. The petitioner shall also apply for conversion of her water connection to domestic by stating that she is running a General Clinic and the same shall be considered by the respondents strictly in terms of the rules within four weeks thereafter and communicate the decision to the petitioner.

Petition is disposed of.

V. KAMESWAR RAO, J

APRIL 10, 2018/aky