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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) No. 1005/2019
MST. JAMILA KHATOON Petitioner
Through: Appearance not given.

versus

NORTH DELHI POWER LIMITED AND ANR Respondents
Through: Mr. Manish Kumar Srivastava, Adv.
for R-1/NDPL.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
% **30.01.2019**

CM APPL. No. 4521/2019 (for exemption)

Allowed, subject to just exceptions.

Application stands disposed of.

W.P.(C) No. 1005/2019

The petitioner seeks a direction to respondent No. 1/North Delhi Power Limited for issuance of No Due Certificate in respect of electricity connection bearing CA No. 35400036469F installed at property No. 7074, Beri Wala Bagh, Azad Market, Delhi.

Mr. Manish Kumar Srivastava, learned Standing Counsel for respondent No. 1/NDPL appears on advance notice and points-out that the same petitioner had earlier filed W.P. (C) No. 3248/2006 seeking the same relief in respect of the same electricity connection at the self-same premises. Writ Petition (Civil) No. 3248/2006 was allowed vide order dated 01.10.2008; which order was taken-up by respondent No. 1/NDPL in LPA No. 793/2008, which LPA was allowed by a Division Bench of this court

relying on a Full Bench decision of this court in ***BSES Rajdhani Power Ltd. vs. Saurashtra Color Tones Pvt. Ltd. & Anr. reported as 161 (2009) DLT 28 (FB)*** and a judgment of the Supreme Court, holding that power distribution companies in NCT of Delhi are entitled to recover arrears of electricity charges from the new owner/occupier, thereby rejecting the petitioner's contention.

Although order dated 30.06.2015 records that at the time of disposal of the said LPA, there was no representation on behalf of respondent No. 1 therein, namely the petitioner in this matter, the Bench disposed of the matter since it was squarely covered by a Full Bench decision of this court as also a judgment of the Supreme Court.

On being queried as to whether the petitioner was aware of the Division Bench judgment dated 30.06.2015 in her own matter, learned counsel for the petitioner submits that the petitioner was not so aware.

Be that as it may, this petition is a second attempt by the same petitioner to seek the self-same relief in relation to the same electricity connection in the same subject property, which obviously cannot be entertained.

In these circumstances, learned counsel for the petitioner wishes to withdraw this petition.

Accordingly, the petition is dismissed as withdrawn.

ANUP JAIRAM BHAMBHANI, J.

JANUARY 30, 2019/uj