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

+ **W.P.(C) 4235/2019, CM No. 18937/2019**

PARVESH JAIN

..... Petitioner

Through: Mr.Ujjawal Kr.Jha, Adv.

versus

TATA POWER DELHI DISTRIBUTION LTD. AND ANR.

..... Respondent

Through: Mr.Manish Srivastava, Adv. for R1

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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24.04.2019

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

“a) A direction, order or writ in the nature of certiorari or any other appropriate writ thereby directing the respondents not to disconnect the electricity connection through counter affidavit nos. 60000011423 and 060006041267 installed at a-124/1, Wazirpur Industrial Area, Delhi-110052 on the basis of the application given by the respondent No. 2 to the respondent for surrender of the connection or in alternative direct the respondent No. 1 to sanctioned the load of 150 kw load to the petitioner without

insisting upon the no objection from the respondent No. 2 and;

b) Award the costs of present proceedings in favour of petitioner and against the respondent and;

c) Any other or further order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in favour of the petitioner in the interest of justice”.

I find, the dispute primarily is private in nature i.e. of the petitioner qua the respondent No. 2. Appropriate would it be for the petitioner to approach Civil Court for the reliefs as prayed for, in this writ petition, making Tata Power Delhi Distribution Ltd. (respondent No. 1 herein) as a party respondent.

Mr.Jha, learned counsel for the petitioner is agreeable to the suggestion made by this Court, and in addition requests that the Court may protect the interest of the petitioner inasmuch as, the respondent No. 1 may be restrained, till such time, the petitioner approaches the Civil Court, from disconnecting the electricity connection.

Mr.Srivastava, learned counsel for the respondent No. 1 states that for one week, electricity connection shall not be disconnected. The said submission is taken on record. It is made clear that the petitioner herein

shall pay all the charges for the electricity consumed till he approaches the Civil Court. It is also made clear that the Civil Court shall decide the application, if any, filed by the petitioner for interim direction without being influenced by the protection granted, in accordance with the law.

Petition is disposed of.

Order dasti.

V. KAMESWAR RAO, J

APRIL 24, 2019/akb