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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 2538/2020 & CM APPL. 8864-8865/2020  
MR. DEEPANRAYAN DIXIT ..... Petitioner  
Through Mr.A.K.Dubey and Mr.Pawan  
Kumar, Advs.  
versus

M/S BSES YAMUNA POWER LTD.& ANR. .... Respondents  
Through Mr.Deepak Kumar Vijay, Advocate  
for R-1/ BSES YPL.

**CORAM:**  
**HON'BLE MR. JUSTICE JAYANT NATH**  
**ORDER**  
% **04.03.2020**

1. This writ petition is filed by the petitioner seeking a direction to respondent No.1/BSES YPL to give a new electricity connection to the property in question being House No.D-271, Gali No.11, Laxmi Nagar, Delhi.
2. The case of the petitioner is that respondent No.2 is the landlord of the father of the petitioner of the above said property and hence it is claimed that the petitioner cannot be evicted or dispossessed without due process of law. The said property was let out to the father of the petitioner 20 years back by respondent No.2. It is claimed that the father of the petitioner alongwith the petitioner have been enjoining the said property since then.
3. On 01.10.2018, respondent No.2 had filed a suit being No.960/2018, title as '*Smt.Tara Gupta v. Deepnarayan Dixit*' for recovery of possession, arrears of rent and damages against the petitioner, which is pending before the civil court.
4. It is further claimed that on 30.11.2019 respondent No.2 has

disconnected the electricity connection of the petitioner without any reason. On 03.12.2019, the petitioner filed a suit before the civil court for restoration of the electricity connection as earlier provided by respondent No.2. It is claimed that the same is pending disposal and is now fixed for 27.03.2020. It is also pleaded that respondent No.2 has appeared in the matter and refused to restore the electricity supply of the petitioner stating that there is default in payment of electricity charges by the petitioner.

5. The petitioner further states that he approached respondent No.1/ BSES YPL on 08.02.2020 and sought appointment for a new electricity connection in the said property. He visited the office of respondent No.1 on 10.02.2020. However, respondent No.1 has insisted for an 'NOC' which is to be issued by respondent No.2 for a new electricity connection. Hence, the present writ petition claiming that respondent No.1 cannot insist for an 'NOC' from the landlord/respondent No.2 and the petitioner is entitled to a new electricity connection.

6. I may note that there are serious civil disputes between the petitioner and respondent No.2/landlord. The petitioner himself has filed a suit against the landlord/respondent No.2 for restoration of the electricity supply, which is pending. Instead of awaiting the outcome of the aforesaid proceedings, the petitioner has chosen to file the present writ petition against respondent No.1/BSES YPL. Copies of the plaint and orders that have been passed by the civil court, which is hearing the suit filed by the petitioner, have conveniently not been placed on record by the petitioner. Only the plaint of the suit filed by respondent No.2/landlord for recovery of possession, arrears of rent and damages against the petitioner has been placed on record.

7. It is manifest that the petitioner is seeking to initiate multiple

proceedings for the same relief, namely, restoration of the electricity supply. It was put to the learned counsel for the petitioner that as the civil proceedings have already been initiated by the petitioner, he may pursue the remedy before the concerned civil court. However, learned counsel for the petitioner states that respondent No.1/BSES YPL is not a party before the civil proceedings. In my opinion, given the facts that the petitioner has initiated civil proceedings for restoration of the electricity supply, it would for the petitioner to approach the concerned civil court, where the matter is pending for appropriate relief. In case, respondent No.1/BSES YPL is a necessary and proper party, the petitioner is free to take steps as per law to implead respondent No.1/BSES YPL as a party. The petitioner cannot be permitted to file multiple litigation for the same relief.

8. The petition is disposed of with liberty granted to the petitioner to approach the concerned civil court. All pending applications, if any, are also disposed of.

9. The petitioner is free to request the civil court for early disposal of the interim injunction application, in case, such an application has been filed. The civil court may deal with such a request as per law.

**JAYANT NATH, J.**

**MARCH 04, 2020/v**