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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4930/2020**

YOGESH AGGARWALPetitioner
Through: Mr Ravish Kumar Goyal, Advocate.

versus

BSES YAMUNA POWER LIMITED Respondent
Through: Mr Manish Srivastava, Advocate.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **05.08.2020**

The hearing was conducted through video conferencing.

CM 17813/2020 (Exemption)

1. Allowed, subject to all just exceptions. The application stands disposed off.

W.P.(C) 4930/2020 & CM 17812/2020 (seeking *status quo*)

2. Issue notice.
3. Mr Manish Srivastava, learned counsel accepts notice on behalf of the respondent/BSES Yamuna Power Limited.
4. At joint request of the learned counsel for the parties, the petition is taken up for disposal.
5. By way of the present petition, the petitioner seeks the following reliefs:

“A. Issue an appropriate Writ in the nature of mandamus and/or any other Writ, order and direction commanding the respondent to disconnect & remove electricity connection, having meter no. 153100569, or details as found as per records of the respondent, installed for

Ground Floor or/and First Floor or/and Second Floor of property bearing no. A-26, New No. A-26/1, out of Khasra No. 344, Mohan Park, Naveen Shahdara, Delhi-110032, admeasuring 49.166 Square Meters, and also to take suitable action against the officials responsible for the same.

B. Issue an appropriate Writ, Order or direction in the nature of mandamus restraining the respondent from installing any new electricity connection without complying strictly with Regulations DERC (Supply Code and Performance Standards) Regulations, 2017 for Ground Floor or/and First Floor or/and Second Floor of property bearing no. A-26, New No. A-26/1, out of Khasra No. 344, Mohan Park, Naveen Shahdara, Delhi-110032, admeasuring 49.166 Square Meters, and also without consent of the petitioner.

C. Direct the respondent to furnish complete details of electricity connection application along with documents/ reports/official notings to the petitioner which was installed for Ground Floor or/and First Floor or/and Second Floor of property bearing no. A-26, New No. A-26/1, out of Khasra No. 344, Mohan Park, Naveen Shahdara, Delhi-110032, admeasuring 49.166 Square Meters.”

6. The petitioner claims to be the owner and in lawful possession of the property in question, apropos which a prepaid electricity meter has been installed and energized on the outer wall of the building. The petitioner has not made any such application for electricity connection or installation of the said meter. He has shown photographs of the interior of the property – which comprises ground, first, and second floors – which he has entered through the front gate. The photographs show that the building is lying vacant; evidently he has its possession, and if he has not sought the electricity connection, then it could only

be at the instance of somebody either indulging in mischief or asserting his/her claim over it. Be that as it may, the petitioner cannot be burdened with any bills as may be raised apropos the said meter.

7. In the circumstances, this writ petition shall be treated as the petitioner's representation to the respondent apropos the documents sought by him. It shall be disposed-off by the respondent within a period of two weeks by a reasoned order, after granting a hearing to the petitioner. The petitioner shall not be burdened with any bills qua the said meter. Any further applications apropos the said property for installation of electricity meter(s) shall be entertained by the respondent with due notice to the petitioner.
8. The petition, along with the pending application, stands disposed-off in the above terms.
9. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 05, 2020/rd