

\$~7

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

+ W.P.(C) 6412/2020

SOHAN DASS & ORS.

.....Petitioners

Through: Mr Sanjay Mani Tripathi, Advocate.

versus

BSES YAMUNA POWER LTD. & ANR.

..... Respondents

Through: Mr Manish Srivastava, Advocate for
BSES YPL/R-1.

Mr Abhinav Sharma, Advocate for R-
2/GNCTD.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **15.09.2020**

The hearing was conducted through video conferencing.

CM APPL. 22698/2020 (Exemption)

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

W.P.(C) 6412/2020

2. Issue notice.
3. Notice is accepted by the learned counsels for the respondents named-above.
4. At joint request of the learned counsels for the parties, the petition is taken up for disposal.
5. The petitioners seek electricity connection to their properties at A-2/189/102, Amar Colony, East Gokulpur, Khasra No. 46, North East

Delhi – 110094; A-2/189/86, Amar Colony, East Gokulpur, Khasra No. 46 North East Delhi -110094 and A-2/189/10, Amar Colony, East Gokulpur, in Khasra No. 1031, North East Delhi -110094. Their addresses are claimed to be in Delhi. However, the learned counsel for the BSES YPL/R-1 submits that the property does not fall within the territory of Delhi; that earlier there was confusion as to whether the properties were in Delhi or in Uttar Pradesh. So a demarcation exercise conducted, which has clarified that the aforesaid properties fall in the State of Uttar Pradesh. The license of the R-1/BSES YPL is to supply electricity only within the territory of NCT of Delhi. The demarcation report was filed in W.P.(C) No.6211/2012 (*Human Fundamental Rights Association (Regd.) & Ors. v Union of India & Ors.*).

6. Since this issue concerns the territory the NCT of Delhi, the SDM/Revenue Assistant concerned would have information of the same.
7. Accordingly, this petition shall be treated as the petitioner's representation by the SDM concerned, before whom the parties may appear for determination of whether the petitioners' properties lie within the NCT. The decision shall be taken after hearing the parties through video-conferencing within a period of ten weeks from today. The petitioner shall be informed about the video-mode, date of hearing through sms, WhatsApp, email and other electronic modes, through counsel as well. The SDM's decision shall be communicated to the parties.
8. The petition is disposed-off in 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

SEPTEMBER 15, 2020/*rd*