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

+ **W.P.(C) 6272/2019 & CM APPL. 15822/2020**

RAJIV SHARMA

..... Petitioner

Through: Ms. Perna Arora and Ms. Sangya
Gupta, Advocates.

versus

BSES RAJDHANI POWER LIMITED AND ANR.

..... Respondents

Through: Mr. Sunil Fernandes, Standing
Counsel for R-1 alongwith Mr.
Shubham Sharma, Advocate.
Ms. Nidhi Raman, Advocate for R-
2/GNCTD.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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11.09.2020

The hearing was conducted through video conferencing.

1. The petitioner seeks the following reliefs:

“ a) Issue a writ of Mandamus or any other appropriate writ/direction/order to the Respondents to provide a new electricity connection to the Petitioner at his Premises and impose a penalty of Rs.1,000/- per day for such days of delay caused by the Respondent from the date of the application;

b) Pass any other or further relief which this Hon'ble Court deems to be fit and proper in the interest of justice;”

2. On the previous date i.e. 21.07.2020, the Court had noted *inter alia*

as under:

“.....

2. The applicant/petitioner seeks electricity connection in terms of the settlement order dated 09.12.2017 passed by the Special Lok Adalat. The applicant/petitioner has deposited the monies in terms of the said settlement. However, Mr. Sunil Fernandes, the learned Standing Counsel for respondent no. 1 submits that; i) there is another outstanding bill of about Rs.16 lacs, which the petitioner has to pay, ii) by court order a criminal case has been directed to be registered against the petitioner regarding the said bill and iii) the petitioner has not disclosed full facts of the case.

....”

3. Ms. Arora, the learned counsel for the petitioner, submits that the petitioner had no knowledge about the outstanding bill of Rs.16 lakhs. It was served upon the petitioner only after filing of this writ petition and the pendency of a criminal case against him in the Saket Courts, New Delhi, too was not in his knowledge.
4. Be that as it may, respondent no. 1 expresses its inability to restore electricity to the petitioner's property while such large amounts are outstanding against him and especially, because there is a criminal case a pending case of theft of electricity against him.
5. The parties are, however, not precluded from finding a solution. Respondent no.1 is primarily concerned about payments of its pending bills. It will be open to the petitioner to explore remedies, including settlement of the *lis* though mediation and/or through Permanent Lok Adalat.
6. In view of the above, the learned counsel for the petitioner seeks to

approach the Permanent Lok Adalat. He seeks to withdraw the writ petition with liberty to pursue other remedies.

7. Accordingly, the writ petition, alongwith pending application, is dismissed as withdrawn. Liberty granted.
8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

SEPTEMBER 11, 2020

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