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

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Judgment delivered on: 18.02.2021

+ W.P.(C) 2278/2021

VIJAY KUMAR SHUKLA

..... Petitioner

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Nalin Tripathi, Advocate.

For the Respondent: Mr. Sunil Fernandes, Standing Counsel with Mr. Shubham Sharma, Advocate for R-2 to 4/BSES-RPL.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL.6610/2021(exemption)

Exemption is allowed subject to all just exceptions.

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1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to respondent/BSES Rajdhani Power Ltd. to restore the electricity connection. It is contended that even though no bills are pending, electricity supply has been

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disconnected.

3. Learned counsel for the petitioner submits that when the petitioner applied for restoration of the electricity connection, same has not been allowed stating that the multiple complaints have been received from the owners of the premises/registered consumer against the re-connection of the meter in the said premises. Petitioner has been required to provide valid Lease Deed for further connection.

4. Learned counsel for the petitioner submits that though petitioner was originally a tenant in the premises, subsequently there was an Agreement to Sell between the petitioner and the landlord. It is submitted that it is not in dispute that the petitioner is in possession of the subject property. He submits that he is willing to apply for a fresh connection in his own name.

5. Learned counsel appearing for respondent/BSES-RPL submits that apart from regular security deposit, petitioner shall also have to pay additional security deposit of Rs.5,000/-.

6. Learned counsel for the petitioner is agreeable for the said deposit.

7. Learned counsel for the respondent submits that the petitioner had in the past defaulted in payment of the regular electricity bills.

8. Learned counsel for the petitioner, on instructions from the petitioner, undertakes that petitioner shall duly pay the bills raised by the respondent from time to time.

9. The undertaking is accepted.

10. In view of the above, the Writ Petition is disposed of with liberty to the petitioner to apply for an independent electricity connection in his own name. On an application being filed by the petitioner, respondent no.1 shall expeditiously process the application and if the application is in order and all commercial and other formalities are completed, electricity connection shall be granted within two working days. It would not be obligatory on the part of the petitioner to furnish a No Objection Certificate from respondent no.2.

11. It is clarified that this order as well as grant of an electricity connection shall not grant any special equities in favour of the petitioner and same would be without prejudice to the rights and contentions of the parties.

12. The Petition is disposed of in the above terms.

13. Copy of the Order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J.

FEBRUARY 18, 2021

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