



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

+ **W.P.(C) 10418/2022 and CM APPL. 30056/2022**

Date of Decision: 11.07.2022

IN THE MATTER OF:

MS. SUFIYA BEGUM Petitioner
Through: Mr. Kshitiz Mahipal, Advocate.

versus

BSES YAMUNA POWER LIMITED Respondent
Through: Mr. Akhil Hasija, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

JUDGMENT

MANOJ KUMAR OHRI, J. (ORAL)

1. By way of the present petition filed under Article 226 of the Constitution of India, the petitioner who claims herself to be the owner/occupier of the premises bearing No. 1236 to 1238, *Fourth Floor, Ganj Meer Khan, Rakab Ganj, New Delhi – 110002* (hereinafter, referred to as the '*subject premises*') seeks a direction to the respondent to install a new electricity connection at the subject premises.

2. Mr. Kshitiz Mahipal, learned counsel for the petitioner submits that the petitioner has purchased the subject premises by virtue of a registered sale deed dated 06.11.2020 from one *Smt. Heena Fatama*. It is submitted that the petitioner has approached the respondent for installation of a new electricity connection vide Application No. 8005636348, however the same has not been installed till date.



NEUTRAL CITATION NO: 2022/DHC/002552

3. Issue notice.

4. Mr. Akhil Hasija, learned counsel appears and accepts notice on behalf of the respondent/BSES Yamuna Power Limited and, on advance instructions, submits that the petitioner's request was considered and certain deficiencies were pointed out. He, on instructions, submits that a technical site inspection would be carried out at the subject premises and the petitioner's request for installation of a new electricity connection would be considered in accordance with law.

5. In view of the above, the petition is disposed of in the following terms:

- (i) Petitioner shall make an application for grant of a fresh electricity connection in her own name.
- (ii) Petitioner shall comply with all the codal and commercial requirements of respondent/BSES Yamuna Power Limited.
- (iii) Petitioner shall also deposit a sum of Rs.10,000/- with respondent/BSES Yamuna Power Limited in addition to the regular security deposit that the petitioner is required to make under the rules or regulations.
- (iv) Petitioner shall pay the consumption charges in accordance with the bills raised by respondent/BSES Yamuna Power Limited from time to time.
- (v) Petitioner shall not seek adjustment of the security deposit. However, on the petitioner vacating the premises or being evicted and surrender of the electricity meter, petitioner shall be entitled to refund of the security deposit subject to adjustment of any dues of the respondent.
- (vi) The respondent shall be entitled to disconnect the electricity supply in case petitioner fails to pay the electricity charges.
- (vii) Application of the petitioner shall be processed and electricity connection shall be installed within two working days of the petitioner completing all the formalities.

6. It is clarified that this order is without prejudice to the rights
contentions of the parties/any other person and shall not be construed as
recognizing rights of any nature whatsoever, including the ownership rights of
the petitioner with regard to the subject premises. No special equities shall flow
in favour of the petitioner on account of this order.

7. The writ petition is disposed of in the above terms. Miscellaneous
application is disposed of as infructuous.

(MANOJ KUMAR OHRI)
JUDGE

JULY 11, 2022/ga