



\$~16

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

%

Judgment delivered on: 31.01.2022

+ W.P.(C) 9076/2021 & CM APPL. 28225/2021

HARISH CHANDER BHARDWAJ

..... Petitioner

versus

BSES RAJDHANI POWER LIMITED

..... Respondent

**Advocates who appeared in this case:**

For the Petitioner: Mr. Sanjay Dewan, Advocate.

For the Respondent: Mr. Sunil Fernandes and Mr. Subham Sharma, Advocates.

**CORAM:-**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**SANJEEV SACHDEVA, J. (ORAL)**

1. The hearing was conducted through video conferencing.
2. Petitioner impugns notice dated 10.08.2021, whereby the respondent/BSES Rajdhani Power Ltd. has sought to disconnect the electricity connection bearing CA number 351127868 and Meter number 41431516 that is installed in the name of the petitioner in property number R-39, South-Extension, Part-II, New Delhi.
3. Petitioner claims rights in the property on the basis of Collaboration Agreement dated 17.05.2016.



4. The impugned notice refers to order dated 02.07.2021 passed by the Sub-Divisional Magistrate, directing impounding of the collaboration agreement dated 17.05.2016 under Section 33 of the Indian Stamp Act, 1899 on the ground that the same has been insufficiently stamped.

5. Learned counsel for the petitioner submits that petitioner has filed a writ petition being W.P. (C) 9751/2021 titled *Harish Chander Bhardwaj Vs. Government of NCT of Delhi*, wherein by order dated 07.09.2021, operation of order dated 02.07.2021 of the Sub-Divisional Magistrate impounding collaboration agreement dated 17.05.2016, has been stayed. Learned counsel submits that the writ petition is still pending and is now listed on 09.03.2022.

6. Learned counsel for respondent submits that since the connection was sought to be disconnected on account of the order of the SDM directing impounding the collaboration agreement and as there is a stay, no further action shall be taken on the impugned notice dated 10.08.2021, till the stay granted in the said writ petition is in force.

7. In view of the above, this petition is disposed of, directing respondent/BSES Rajdhani Power Ltd. to defer further action on the show cause notice dated 10.08.2021 so long as there is a stay of the order of the SDM dated 02.07.2021. It would, however, be open for



the respondent to take action in accordance with law in case the stay is vacated or the petitioner is unsuccessful in the said writ petition.

8. Petition is disposed of in the above terms.

9. Petitioner shall keep the respondent informed of the proceedings in W.P. (C) 9751/2021 by furnishing a copy of the orders passed therein within one week of the order being passed.

10. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through e-mail by the Court Master.

**JANUARY 31, 2022**  
**NA**

**SANJEEV SACHDEVA, J**

भारतमेव जयते