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

% Judgment delivered on: 03.02.2022

+ **W.P.(C) 12064/2021**

GURKIRPAL SINGH

..... Petitioner

versus

BSES RAJDHANI POWER LIMITED & ANR. Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Abhishekh Gupta, Advocate.

For the Respondent: Mr. Sunil Fernandes, Standing Counsel with Mr. Subham Sharma, Advocates for BSES Rajdhani Power Ltd.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. By order dated 26.10.2021, notices were directed to be issued to respondent No.2. Office report indicates that notices were sent over *Whatsapp*. However, none appears for respondent No.2.
3. Petitioner, a tenant in the subject property seeks a separate independent electricity connection at premises being shop No.1 in



property number 1868/13, Govind Puri Extension, Kalkaji, New Delhi-110019.

4. Learned counsel for the petitioner submits that petitioner is a tenant protected under the Delhi Rent Control Act. He submits that earlier electricity was sought to be disconnected by the respondent No.2 and accordingly, a petition under Section 45 of Delhi Rent Control Act, 1958 was filed in which by interim dated 08.04.2021, the respondent/landlord was directed to restore electricity to the tenanted premises.

5. Learned counsel submits that though electricity has been restored, however, with the intention of pressurizing the petitioner to vacate the premises, the landlord does not pay the electricity bills on time or permit the electricity inspectors to inspect the meter and take reading.

6. He submits that petitioner is willing to comply with all the codal and financial formalities of the respondent for the purposes of grant of the electricity connection.

7. Learned counsel appearing for respondent/BSES Rajdhani Power Ltd. submits that they have no objection to grant of an independent electricity meter to the petitioner, subject to petitioner complying with the codal and other financial formalities.



8. In view of the above, this petition is allowed. Subject to petitioner completing the codal and other financial formalities, BSES/Rajdhani Power Ltd. is directed to provide a pre-paid electricity connection to the petitioner without insisting upon a No Objection Certificate from the landlord

9. It is clarified that the provision of electricity meter shall be without prejudice to the rights and contentions of the parties and shall not grant any special equity in favour of the petitioner or any extra rights in the property other than what the petitioner already enjoys

10. Petition is allowed, in the above terms.

11. 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.

SANJEEV SACHDEVA, J

FEBRUARY 3, 2022
NA