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

+ **W.P.(C) 6530/2024, CM.APPL. 27259/2024**

KUSUM LATA

..... Petitioner

Through: **Mr. Kshitij Mathur, Adv.**

versus

BSES YAMUNA POWER LTD.

..... Respondent

Through: **Mr. Deepak Kumar Vijay and Mr.
Shubham Shivansh, Advs. for BSES.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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09.05.2024

**CM APPL. 27260/2024 (Exemption from filing certified/original/legible
copies of annx.)**

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 6530/2024

1. By way of the present petition, the petitioner seeks a direction against the respondent for granting a new electricity connection in the name of the petitioner in subject premises i.e. Shop at property bearing no. 9/5000, Ground Floor, Kaushikpuri, Old Seelampur, Delhi-110031.
2. It is contended by the learned counsel for the petitioner that the petitioner was getting supply of the electricity through the electricity connection of the landlord which has now been discontinued by the landlord.
3. It is submitted by the learned counsel for the petitioner that the petitioner is constrained to approach this Court on account of rejection of request of grant of new electricity connection for want of NOC from the



landlord.

4. Learned counsel for the petitioner submits that grant of an NOC is not a pre-requisite for grant of a new electricity connection. In this regard, reliance is placed on the judgments/orders dated 11.01.2023 in W.P.(C) 17470/2022, 20.10.2023 in W.P.(C) 13926/2023 and 14.11.2022 in W.P.(C) 13217/2019.

5. In line with the directions passed in the aforesaid judgments/orders, it is directed as under:-

- i. The petitioner shall make an application for grant of a fresh electricity connection in his/her name;
- ii. The respondent/BSES shall process the petitioner's application for providing fresh electricity connection forthwith without insisting on an NOC from the landlord;
- iii. The petitioner shall comply with all the codal and commercial requirements of the respondent/BSES;
- iv. The petitioner shall pay the consumption charges in accordance with the bills raised by the respondent/BSES from time to time/till the time, he/she occupy the subject premises;
- v. The 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, the petitioner shall be entitled to refund of the security deposit subject to adjustment of any dues of the respondent/BSES;
- vi. The respondent/BSES shall be entitled to disconnect the electricity supply at the subject premises in case the petitioner fails to pay the electricity charges; and



- vii. Upon a fresh application for grant of new electricity connection in the name of the petitioner being filed by the petitioner, the same shall be processed by the respondent/BSES expeditiously.
6. It is clarified that this order shall not be construed as recognizing any possessory rights of the petitioner with regard to the subject premises and is without prejudice to the rights and contentions of the parties. No special equities shall flow in favour of the petitioner because of this order.
7. The present petition, along with pending application/s, is disposed of in terms of the above directions.

SACHIN DATTA, J

MAY 9, 2024/r