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

+ **W.P.(C) 7490/2024, CM APPL. 31193/2024 - STAY**

DABIR UL ARAFIEN & ANR. Petitioners

Through: Mr. M. A. Inayati, Adv.

versus

BSES YAMUNA POWER LTD. & ORS. Respondents

Through: Mr. Deepak Kumar Vijay, Ms. Neeru Sharma and Mr. Shubham Shivansh, Adv. for BSES.

Mr. Manoj Kr. Sharma, Addl. Standing Counsel (MCD) alongwith Mr. Sukh Sagar Nagrath and Mr. Shakti Daksh, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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22.05.2024

CM APPL. 31194/2024 (Exemption from filing certified/ dim/ true typed annx.)

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 7490/2024

1. The present petition has been filed by the petitioners seeking that the respondent no.1/BSES be directed to grant electricity connection at petitioners' shop bearing No.11/399, Ground Floor Gali Matia Mahal, Jama Masjid, Delhi-110006.

2. Learned counsel for the respondent no.1/BSES does not oppose the prayers sought in the present petition. He submits that requisite connection shall be granted subject to compliance with the usual conditions, in terms of



judgments/ orders of this Court in W.P.(C) 17470/2022, W.P.(C) 13926/2023 and W.P.(C) 13217/2019.

3. Accordingly, it is directed as under :-

- i. The petitioners shall make an application for grant of a fresh electricity connection in their name;
- ii. The respondent/BSES shall process the petitioners' application for providing fresh electricity connection forthwith in accordance with NOC already issued by the MCD;
- iii. The petitioners shall comply with all the codal and commercial requirements of the respondent/BSES;
- iv. The petitioners shall pay the consumption charges in accordance with the bills raised by the respondent/BSES from time to time/till the time, they occupy the subject premises;
- v. The petitioners shall not seek adjustment of the security deposit. However, on the petitioners vacating the premises/shop or being evicted and surrender of the electricity meter, the petitioners 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 petitioners fail to pay the electricity charges; and
- vii. Upon a fresh application for grant of new electricity connection in the name of the petitioners being filed by the petitioners, the same shall be processed by the respondent/BSES expeditiously or within a period of two weeks from today.

5. It is clarified that this order shall not be construed as recognizing any



possessory rights of the petitioners 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 petitioners because of this order.

6. The present petition, along with pending application/s, is disposed of in the above terms.

SACHIN DATTA, J

MAY 22, 2024/r