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

+ **W.P.(C) 2233/2025**

USHA DEVI

.....Petitioner

Through: Mr. S.K. Anand, Advocate.

versus

TATA POWER - DDL AND ORS.

.....Respondents

Through: Mr. Moksh Arora and Mr. Santosh
Ramdurg, Advocates with Mr. Amit Singh, AGM,
Legal for TDPPL.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

25.02.2025

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CM APPL. 10445/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 2233/2025 and CM APPL. 10444/2025

3. This writ petition is preferred on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India for a direction to TATA Power – DDL (TPDDL) to sanction and install new electricity connection in first floor of premises bearing No. L-247, Mangolpuri, New Delhi, as also a direction to Delhi Jal Board (DJB) to install water connection at the earliest.
4. Issue notice.
5. Mr. Moksh Arora, learned counsel accepts notice on behalf of TPDDL.



6. Petitioner is stated to be the owner and in possession of subject premises comprising of ground, first and second floor and is residing with her family at the first floor while ground floor has been rented out since 01.05.2005. There is an electricity and water connection at the ground floor. It is averred that on 23.08.2024, officials of TPDDL made a surprise inspection and found dishonest abstraction of energy at the ground floor by the tenant and a theft bill of Rs. 72,978/- was issued. However, the tenant settled the theft bill with TPDDL for a sum of Rs. 40,000/- before the Permanent Lok Adalat and the settled amount has been paid against which NOC dated 07.01.2025 was issued by TPDDL.

7. It is further stated that Petitioner applied for sanction of new electricity connection at the first floor with all requisite documents. TPDDL sanctioned the new electricity connection and issued a demand note dated 15.01.2025 for deposit of security money of Rs.600/-, which stands deposited on 16.01.2025. Grievance of the Petitioner is that till date the new electricity connection has not been installed and in the absence of the said connection, DJB is not installing the water connection despite a separate application dated 23.01.2025 being made to DJB. It is urged that Chief Executive Officer, DJB has issued an order No. 08 dated 23.11.2021 to all authorities directing that no water connection should be refused unless there is an order to this effect from a competent Court of law, which is not the case here.

8. Learned counsel further argues that in a number of cases, Courts have held from time to time that electricity is a basic amenity of which an individual cannot be deprived. Water is also essential service and there is no reason why the Petitioner is being deprived of the essential amenities.



Petitioner was verbally informed that the tenant at the ground floor is obstructing the officials of TPDDL from installing the electricity connection, however, Petitioner has no control over her tenant and it is open to the officials to take necessary action in case obstruction is caused by the tenant but this cannot be a reason to deprive the Petitioner of the electricity connection.

9. Learned counsel for TPDDL, on instructions from Mr. Amit Singh, AGM, Legal for Respondent No.1 submits that officials of TPDDL had attempted to install the new electricity connection but were prevented from doing so by the tenant of the Petitioner namely, Ms. Rajbali, residing at the ground floor *albeit* there is no other impediment in installing the connection.

10. In light of the aforesaid, this writ petition is disposed of directing TPDDL to install the electricity connection in the first floor of the subject premises within a period of two weeks from today. Tenant of the Petitioner residing at the ground floor is directed not to cause any hindrance or obstruction in the installation of the electricity connection at the first floor of the subject premises. Needless to state if any obstruction is caused by the tenant in the official discharge of duties by the concerned officials of TPDDL, it would be open to them to take necessary legal action and/or seek Police assistance. After the electricity connection is installed, DJB will ensure installation of the water connection at the earliest.

11. Pending application is also disposed of.

JYOTI SINGH, J

FEBRUARY 25, 2025/YA/shivam