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

+ **W.P.(C) 4454/2026&CM APPL. 21786-21787/2026**

AARTI & ANR.

.....Petitioners

Through: Mr. Deepak Kohli, Mr. Himanshu Sharma, Mohd. Shariq & Mohd. Zakir, Advocates.

versus

BSES RAJDHANI PRIVATE LIMITED & ANR.Respondents

Through: Mr. Manish Kumar Srivastava, Mr. Moksh Arora & Mr. Santosh Ramdurg, Advocates for BSES YPL.
Mr. Tarveen Singh Nanda, Standing Counsel with Mr. Ankur Mishra, Mr. Gurpreet Singh, Mr. Nitish Dham, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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23.04.2026

1. The present writ petition has been filed seeking a direction to respondent no.1/BSES to grant an electricity connection at the premises of the petitioner at 8/253, Village Mehram Nagar, Delhi Cantonment, New Delhi-110010 (hereinafter 'subject property').
2. The electricity connection has not been granted at the aforesaid premises by the respondent no.1/BSES, on account of a communication dated 10th February, 2025, received from respondent no.2/Delhi Cantonment Board (DCB), stating that unauthorised construction has been carried out in the subject property.
3. It is the case of the petitioners that they have been the



owners/occupants of the subject property since 1986. It is stated that the petitioners had old electricity connections, bearing CA No. 152175219 and CA No. 102289875 in the subject property. Since the property of the petitioner was in an old and dilapidated condition, the petitioner carried out construction/demolition of the existing structure for repair purposes and accordingly, surrendered the said electricity connections.

4. This Court, by judgment dated 13th November, 2025, passed in W.P.(C) 7618/2023 titled “**BSES Yamuna Power Limited v. Bhagwanti & Anr.**” and other connected matters, has held that there is no impediment to grant an electricity connection, even if a property is booked for unauthorised construction. The relevant paragraphs from the said judgment are set out below:

“19. Thus, considering the detailed discussion hereinabove, this Court is of the view that there is no impediment with the petitioner company to grant or continue with electricity connection in the premises, where such premises are booked for unauthorized construction. However, as and when MCD takes any coercive action against such properties, which are booked for unauthorized construction, the MCD shall duly intimate the concerned electricity companies, in that regard.

20. The electricity company shall be free to disconnect the electricity connection, as and when such request or direction is given by the MCD, at the time of taking action against the unauthorized construction in the properties in question.

21. Accordingly, at the time of any demolition or sealing action being undertaken by the MCD, the electricity company shall duly follow the directions of the MCD, and disconnect the electricity at that point of time.

22. It is further clarified that grant of fresh electricity connection or continuation of electricity connection in properties, which already stand booked for unauthorized construction, or are subsequently so booked for unauthorised construction, shall not be construed by the MCD as violation of the circulars in that regard, which are issued by the respective



electricity companies.

23. The aforesaid practice directions shall be followed by the respective parties, so that requisite action for disconnection of electricity is taken by the electricity companies, pursuant to intimation by the MCD, at the time when actual action is taken by the MCD, for either sealing or demolition of such premises on account of unauthorised construction/encroachment/excess coverage.

24. Accordingly, it is directed that the electricity companies/Distribution Companies (“DISCOMS”), shall fully cooperate with the MCD and take requisite action for disconnection of the electricity, at the time when MCD is taking action against unauthorized construction/encroachment/excess coverage, for sealing or demolition of the said properties.”

5. In light of the aforesaid observations, *de hors* the unauthorised connection, electricity connection has to be granted in favour of the petitioner even if there exists unauthorised construction. The aforesaid directions would be fully applicable in the present case.

6. Accordingly, a direction is issued to the petitioner to apply for a fresh electricity connection with the respondent no.1/BSES, who shall process the same as per its rules and regulations, subject to the petitioner complying with the prescribed formalities, without taking note of the aforesaid communication issued by respondent no.2/DCB.

7. Counsel appearing on behalf of the respondent no.2/DCB raises an objection with regard to the maintainability of the present writ petition on account of an alternate efficacious remedy.

8. Since the issue raised in the petition is clearly covered by the judgment of this Court, this Court is not inclined to accept the issue of maintainability of the present writ petition.

9. The grant of electricity connection would not cause any impediment, in



the event the respondent no.2/DCB takes any action against the subject property in accordance with law.

10. In view of the above, the writ petition stands disposed of.

11. Pending application(s) also stand disposed of.

AMIT BANSAL, J

APRIL 23, 2026

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