



2026:DHC:1244



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

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Date of decision: 10th February, 2026

+ W.P.(C) 3931/2025 with CM APPL. 18356/2025 & CM APPL. 18357/2025

SHEKHAR BARNWAL

.....Petitioner

Through: Dr. Ishaan Swarana Sharma,
Advocate (through VC) along with
Mr. Shubham Shukla, Ms. Shambhavi
Sharma, Mr. Ayush and Mr. Mukund
Ranjan, Advocates

versus

BSES RAJDHANI POWER LTD & ORS.

.....Respondents

Through: Mr. Sharique Hussain and Ms. Kirti
Garg, Advocates for R-1
Ms. Shobha Gupta, Ms. Sanskirti
Sankuntala Gupta, Ms. Simranjeet
Kaur, Ms. Akshita Mishra and
Ms. Manasvi Negi, Advocates for R-2**CORAM:****HON'BLE MR. JUSTICE AMIT BANSAL****AMIT BANSAL, J. (Oral)**

1. The present writ petition has been filed seeking direction to set aside the order dated 21st February, 2025 passed by the Electricity Ombudsman in Appeal No. 44/2025 titled *Shri Sanjay Barnwal v. BSES Rajdhani Power Limited* (hereinafter 'impugned order').

2. By way of the impugned order, the electricity connection which was granted by the respondent no.1/ BSES Rajdhani Power Limited (hereinafter



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‘BRPL’) in favour of the petitioner herein has been directed to be granted in the name of the respondent no.2 herein (appellant in the aforesaid appeal).

3. Brief facts necessary for deciding present writ petition are as follows:

3.1. The petitioner and the respondent no.2 are real brothers residing in the property bearing no. B-35, Panchsheel Enclave, New Delhi-110017 (hereinafter ‘subject property’).

3.2. The subject property belonged to late Sh. R. P. Barnwal, the father of the aforesaid brothers. In the case of the petitioner that late Sh. Barnwal had executed a gift deed dated 3rd March, 2019 in terms of which the entire subject property was gifted to the petitioner.

3.3. The father of the petitioner and the respondent no.2 expired on 26th July, 2021. After his death, the petitioner filed an eviction suit against the respondent no.2, which is stated to be pending. There are various other *inter se* litigation between the aforesaid parties, which are currently pending.

3.4. An application was moved on behalf of the petitioner on 17th June, 2022 before BRPL. On the basis of the said application, the name in the electricity connection was changed from that of the respondent no.2 to the petitioner.

3.5. The respondent no.2 filed a complaint before the Consumer Grievance Redressal Forum, which was dismissed *vide* order dated 20th March, 2023 on the ground that the said forum did not have the jurisdiction to entertain the aforesaid complaint in view of pending disputes between the parties.

3.6. Aggrieved by the aforesaid order passed by the Consumer Grievance Redressal Forum, the respondent no.2 filed an appeal before the Electricity Ombudsman, which was allowed *vide* the impugned order.

3.7. Pursuant to the impugned order, BRPL changed the name in respect



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of the electricity connection in favour of the respondent no.2.

4. I have heard counsel for the parties and also perused the material on record.

5. In my considered view, BRPL could not have unilaterally changed the electricity connection from the name of the respondent no.2 to the name of the petitioner without giving an opportunity of hearing to the respondent no.2.

6. It is submitted on behalf of BRPL and the petitioner that relevant title documents including gift deed were produced by the petitioner before BRPL and on the basis of the said documents, the name in the electricity connection was changed. On the other hand, it is the case of the respondent no.2 that the title documents furnished by the petitioner are forged.

7. It is a matter of record that there are *inter se* disputes, including proceedings *qua* title of the subject property, between the parties, which are pending before the civil courts. The petitioner failed to bring to the notice of BRPL the pending litigation between the parties.

8. It is also an admitted position between the parties that the petitioner resides on the ground floor of the subject property and has a separate electricity connection with respect to the same. On the other hand, the respondent no.2 resides on the first floor of the subject property and has a separate electricity connection with respect to the same, which is the subject matter of the present petition. The aforesaid electricity connection was in the name of the respondent no.2 from the year 2004.

9. In my considered view, BRPL could not have unilaterally changed the electricity connection in the name of the petitioner from the name of the respondent no.2 on the basis of the documents furnished by the petitioner



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considering the fact that there is an ongoing title dispute between the parties. In this regard, a reference may be made to the directions passed in the impugned order, which are set out below:

“12. This court has gone through the above aspects as well as the replies submitted by both parties very minutely. After reviewing the relevant provisions of DERC's Supply Code, 2017, this court directs as under:

- a) The order passed by the CGRF-BRPL is set-aside.*
- b) In the interest of natural justice and fair play, it is directed that the connection in the name of the Appellant be restored (as on 17.05 2022) till the finalization of various suits in various Courts.*
- c) Discom may also consider taking action against Shri Shekhar Barnwal for not giving the right information/concealing information in procuring the connection in his name despite the fact that the Appellant had the possession and was staying there. This can be done in consultation with their legal department. The aspect of connivance of officers of the Discom in allowing the transfer can also be a subject of vigilance enquiry.*
- d) Compliance report be submitted in next 30 days.”*

10. Accordingly, the present writ petition is disposed of while directing that the electricity connection which is the subject matter of the present petition shall remain in the name of the respondent no.2 till the time the title of the petitioner and the respondent no.2 in the subject property is adjudicated in the legal proceedings pending between them. However, based on the above, the direction given in paragraph 12(c) of the impugned order is set aside.

11. It is clarified that this Court has not made any observation with regard to the title of the parties in the subject property.

AMIT BANSAL, J

FEBRUARY 10, 2026
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