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

+ W.P.(C) 5579/2026 with CM APPL. 27277/2026 and CM APPL. 27278/2026

MANOJ MALIK & ANR.

.....Petitioners

Through: Mr. Ajay Marwah & Mr. Mrigank Bhardwaj, Advocates

versus

DELHI DEVELOPMENT AUTHORITY
& ORS.

.....Respondents

Through: Mr. Sanjay Katyal, Standing Counsel for DDA, Mr. Nitish Kumar, Advocate for R-1/DDA.

Mr. Sanjay Kumar Pathak, Standing Counsel with Ms. K.K. Kiran Pathak, Mr. Sunil Kumar Jha, Mr. M.S. Akhtar, Ms. Joohu Kumari & Mr. Kushagra Dixit, Advocates for R-3/L&B

Mr. Manish Srivastava, Mr. Moksh Arora, Mr. Santosh Ramdurg, Mr. Ankit Bhushan & Mr. Amit Singh, Advocates for R/TPDDL

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

24.04.2026

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1. The present writ petition has been filed seeking a direction to the respondent no. 2 to not erect the electrical substation adjacent to the petitioner's plot being *Plot no. 40, Pocket A1, Sector-32, Rohini, Delhi*.
2. It is contended on behalf of the petitioners that the aforesaid plot



being a corner plot was allotted in favour of the petitioners and upon payment of premium charges for the same. He further submits that erection of an electrical substation adjacent to the petitioner's plot would reduce the utility and value of the corner plot. It is contended that the easement rights of the petitioners would also be affected by construction of the electricity transformer adjacent to the petitioner's plot.

3. Mr. Srivastava, counsel appearing on behalf of the respondent no. 2 has handed over a copy of the order passed by this Court on 13th October, 2025 in W.P.(C) 10992/2022 titled '**Heli Enclave Resident Welfare Association v. Delhi Development Authority & Ors.**'. The issue involved in the said writ petition was with regard to electrification of the said area. The operative directions passed by this Court are set-out below:

"9. However, having regard to the nature of controversy involved in the present petition and the fact that the allottees of the plots in the aforesaid area, i.e., Pocket A-1, Sector-32, Rohini, Delhi – 110042 have not been able to raise construction on their respective plots since 2008 for want of electrification, it is deemed appropriate that pending dispute with regard to the payment of cost of land and land license fee, the respondent no.1/DDA should hand over the possession of the land, which has already been identified, to respondent no.3/TPDDL, for the purpose of installation of substation(s), free of cost on right to use basis, without prejudice to its rights and contentions, so that the process of electrification is expedited. Ordered accordingly. Let needful be done within a period of four weeks.

10. It is clarified that ownership of the land, which will be handed over by the respondent no.1/DDA to the respondent no.3/TPDDL, only on right to use basis, will remain with the respondent no.1/DDA."

4. Pursuant to the aforesaid order, the respondent no. 1/DDA has



handed over the subject plot in favour of the respondent no. 2 on 19th January, 2026.

5. This Court has already taken the view, in the order passed on 17th April, 2026 in W.P. (C) 5151/2026, titled '**Raj Banti & Anr. v. BSES Rajdhani Power Limited & Ors.**' that insofar public utility services are concerned, this court cannot get into the issues with regard to location of the same.

6. The relevant observations from the said order are set out below:

9. *It is an undisputed fact that the transformer is required to augment the electricity supply in the locality and is ultimately for the benefit of the residents therein. It is submitted on behalf of respondent no.1/ BRPL that there have been several complaints with regard to inadequate electricity supply in the locality.*

10. *Insofar as the location of the transformer is concerned, the concerned authorities, i.e., MCD as well as BRPL have identified a place suitable for installation of the transformer.*

11. *This Court in exercise of its jurisdiction under Article 226 of the Constitution of India, cannot question the decision of the respondents in locating the transformer in the subject park. There is no allegation of mala fide in the said decision as the installation of the transformer is towards a public utility.*

13. *Considering that the transformer is for the overall benefit of the residents of the locality, I am not inclined to interfere with the said decision. Similarly, in exercise of its jurisdiction under Article 226 of the Constitution of India, this Court cannot get into the question of whether the alternative sites as proposed by the petitioner are more suitable or not. This amounts to holding an inquiry with regard to the suitability, which is not within the domain of the Court."*

12. The aforesaid observations are squarely applicable in the present case. It is for the concerned authorities to identify an appropriate location for the installation of an electricity transformer, which is in the nature of a public utility. This Court, cannot, in exercise of its jurisdiction under Article 226, question the decision of the respondents with respect to



location of the transformer.

13. Accordingly, I do not find any merit in the present writ petition and the same is dismissed.

14. Pending applications stand disposed of.

AMIT BANSAL, J

APRIL 24, 2026/jk