



\$~55

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

+ **W.P.(C) 6567/2026**

JAVED HASAN KHAN

.....Petitioner

Through: **Mr. Shiv Shankar Parashar, Advocate**

versus

GOVT OF NCT OF DELHI AND OTHERS

.....Respondents

Through: **Mr. Abhinav Singh, Advocate for R-1**
Mr. Aditya Gupta and Mr. Yash
Srivastava, Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **14.05.2026**

1. The present writ petition has been filed seeking a direction to the respondent no.3/BSES to shift the transformer at *Jaggan Patti, Plot No.5, Khasra No. 375, Block F/B Saheen Bagh, Abul Fazal Enclave 2, New Delhi 110025* to the adjacent site of BSES at Allama Shibli Nomani Road.
2. It is submitted on behalf of the petitioner that the subject transformer is in a very congested locality and there have been instances of fire in the subject transformer. It is further submitted that there is an alternate area available with the respondent no.3/BSES where the subject transformer can be shifted.
3. Mr. Aditya Gupta, appearing on behalf of the respondent no.3/BSES, submits that the subject transformer is located inside a private plot and is not in the middle of the road. He further submits that proceedings have already been filed before the concerned District Magistrate under the Works of



Licensees Rules, 2006, framed under the Electricity Act, 2003, for removal of the subject transformer, which are pending.

4. I have heard the counsel for the parties.

5. This Court has recently held in W.P. (C) 5151/2026, titled '**Raj Banti & Anr. v. BSES Rajdhani Power Limited & Ors.**' that insofar as public utility services are concerned, this Court cannot get into issues with regard to location of the same. The relevant observations from the said judgement 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."

6. Similar observations were also made in order dated 24th April, 2026 in W.P. (C) 5579/2026, titled '**Manoj Malik v. DDA**'.

7. 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. In any event, proceedings have been filed before the concerned authority for removal of the said transformer, which are pending.

8. In light of the discussion above, this Court is not inclined to exercise the jurisdiction under Article 226 of the petition.

9. Accordingly, the petition is dismissed.

AMIT BANSAL, J

MAY 14, 2026
ds