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

CM APPL. 7545/2026

IN

+ W.P.(C) 18445/2025

SHIV KUMAR SAXENA

.....Petitioner

Through: Mr. Raghavendra Mohan Bajaj and
Mr. Sajal Awasthi, Advocates along
with petitioner in person.

versus

BSES RAJDHANI POWER LIMITED

.....Respondent

Through: Mr. Sharique Hussain and Ms. Kirti
Garg, Advocates for R-1/BSES RPL.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

12.03.2026

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1. The present writ petition has been filed seeking a direction to the respondent to grant domestic electricity connection for the residential portion at the ground floor of the property being *House No. G-64 (105), Gali No. 20-22, Rajapuri Colony, Uttam Nagar, Delhi-110059* ('subject property').
2. It is submitted that the petitioner already has a commercial connection on the ground floor where he was running a Printing Press. The first floor and the second floor of the property have electricity connections in the name of the petitioner's brothers.
3. The grievance of the petitioner is that despite application being filed by the petitioner with the respondent-BSES Rajdhani Power Limited ('BRPL'), electricity connection has not been granted.



4. It is submitted that the petitioner has been in continuous possession of the subject property, which is evident from the existing commercial electricity connection in his name.

5. In the counter-affidavit filed on behalf of the respondent, it is stated that the application of the petitioner for a new electricity connection was found deficient as the petitioner failed to submit any title document in his favour. Accordingly, the deficiency letter dated 13th October, 2025 was issued to the petitioner.

6. It has also been stated in the counter-affidavit that there is a civil suit regarding ownership and possession of the subject property that is pending before the Civil Court in CS ADJ No. 369/2022.

7. The Supreme Court, in ***Dilip (Dead) Through LRs. v. Satish & Ors.*** [Crl. Appeal No. 810/2022 decided on 13th May, 2022], held that electricity is a fundamental necessity of a person in possession of a property, regardless of any civil dispute as to the legality of their possession.

8. This Court in repeated writ petitions of similar nature has taken a view that mere pendency of title dispute would not come in the way of electricity connection being granted as long as the applicant is able to produce the documents to show occupancy of the subject property. In W.P.(C) 2802/2024 titled ***Ajay Mehra v. BSES Yamuna Power Limited*** where fresh electricity connection was directed to be granted subject to compliance of necessary formalities.

9. Accordingly, the petitioner is granted liberty to apply for a fresh electricity connection and subject to the following directions:

I. The petitioner shall comply with all codal and commercial formalities for a grant of a new electricity connection.



II. The petitioner shall pay the arrears of consumption charges, if any, as demanded by the respondent-BRPL.

III. The petitioner shall deposit the requisite security deposit with the respondent-BRPL.

IV. The petitioner shall pay the current consumption charges in accordance with the bills raised by the respondent-BRPL from month to month.

V. The petitioner shall pay the arrears, if any, concerning ground floor of the residential property.

VI. The security deposit shall not be adjusted against the demands for the current period, but shall be refunded to the petitioner upon vacation of the subject property, subject to any adjustment of any arrears at that time.

VII. The respondent-BRPL shall be entitled to disconnect the electricity connection in the event of non-compliance with any of the aforesaid conditions.

10. Insofar as prayer 'b' is concerned, liberty is granted to the petitioner to approach the respondent and the respondent shall process the said request based on its rules and regulations without insisting on any title documents from the petitioner.

11. Accordingly, the present writ petition along with pending application is disposed of.

12. The date already fixed before the Court, *i.e.* 2nd April, 2026, stands cancelled.

AMIT BANSAL, J

MARCH 12, 2026/Rzu