

Sh Mukesh Kumar vs Bses Rajdhani Power Limited on 2 April, 2025

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 02nd A

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W.P.(C) 3619/2025 & CM APPL. 16905/2025

SH MUKESH KUMAR

Through: Mr. Sandeep Singh, Mr. N
Rajesh Kumar, Ms. Anju B
Mr. Deepak Rawat, Advs.
M: 8010172204

versus

BSES RAJDHANI POWER LIMITED

.....Responden

Through: Ms. Kirti Garg and Mr. Sharique
Hussain, Advs.

M: 9540535859

Email: sharique@rrjassociate.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL)

1. Learned counsel appearing for the petitioner submits that he has withdrawn the suit, i.e., CS SCJ 260/25, in terms of the order dated 24th March, 2025.
2. The present petition has been filed by the petitioner seeking direction to the respondent, to restore the electricity supply to CA No. 153027582 installed at property bearing no. RZ 37-38, First Floor, Guru Harkishan Nagar, Matiala Extension, Uttam Nagar, New Delhi.
3. Issue notice. Notice is accepted by learned counsel appearing for the respondent.
4. It is the case of the petitioner, the petitioner and Mr. Narender Singh, i.e., original owner of property in question, entered into a mutual agreement for a sum of Rs. 33,00,000/-, for purchase of the property in question, out of which, Rs. 6,00,000/- was paid by the petitioner to Mr. Narender Singh, upon which, the petitioner was handed over possession of the said property.
5. Subsequently, various disputes arose between the petitioner and Mr. Narender Singh, in relation to the subject property.
6. Learned counsel appearing for the petitioner submits that the petitioner is in possession of the subject property and the electricity connection, which is in the name of Mr. Narender Singh's wife, i.e., Mrs. Anuradha Singh, has been disconnected, and the meter has been removed on 20th February, 2025, on account of non-payment of electricity bill.

7. He submits that despite regular payments, the respondent is not restoring the electricity without a No Objection Certificate ("NOC") from Mr. Narender Singh and/or his wife, Mrs. Anuradha Singh.

8. He further submits that the petitioner has been making regular payments towards the electricity bill and shall continue to do so.

9. Considering the submission made before this Court, the following directions are issued:

i. The respondent is directed to restore the electricity supply to CA No. 153027582, installed at property bearing no. RZ 37-38, First Floor, Guru Harkishan Nagar, Matiala Extension, Uttam Nagar, New Delhi. ii. The respondent shall not insist upon any NOC from the registered user of the electricity meter.

iii. The petitioner shall comply with all the formalities, as indicated by the respondent for the purposes of energizing the electricity connection.

iv. The petitioner shall deposit all the requisite charges, as demanded by the respondent.

v. The petitioner shall pay the consumption charges in accordance with the bills raised by the respondent no. 1, from time to time. vi. The respondent shall be entitled to disconnect the electricity supply, in case the petitioner fails to pay the electricity charges.

10. It is clarified that this Court has not expressed any opinion on the merits of the case, as regards the entitlement of the petitioner to the possession of the property in question.

11. Mere fact that this Court has directed the energization of the electricity connection at the premises in question, will confer no equity in favour of the petitioner, or confer any right, title or interest over the petitioner, with regard to the property in question.

12. The rights of the registered consumer of the electricity connection qua the petitioner herein, are kept open, which may be subject matter of any civil dispute between the parties. It is further clarified that this order is without prejudice to the rights and contentions of the parties, and shall not be construed as recognizing any possessory rights of the petitioner, with regard to the subject property.

13. In view of the above, the present petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J APRIL 2, 2025/kr