

RCA 11/26
KRISHAN KUMAR KAKKAR Vs.
BSES RAJDHANI POWER LTD.

17.02.2026

Fresh appeal received by way of assignment. It be checked and registered, as per rules.

Present: Ms. Suman Arora, Ld. Counsel for appellant.

Heard. Perused.

Let fresh notice be issued to the respondent on filing of PF and RC through all permissible modes returnable for **04.05.2026**.

Application has been filed by the appellant for the stay of operation of the judgment/decreed dated 31.01.2026 passed by Ld. Civil Judge, South-East.

It is submitted that the appellant has apprehension that the respondent will disconnect the electricity connection. Further, the electricity supply is basic amenity for survival of the people and if the respondents are not stayed from taking coercive action against appellant, the disconnection of the electricity will cause irreparable loss to them.

Heard. Record perused.

The various orders of Ld. Trial Court, specially dated 31.03.2021 and 08.04.2021 reflects that Ld. Trial Court had also allowed the electricity connection upon payment of domestic tariff rates as interim measure. It appears at this stage that if the electricity connection is disconnected by the respondents, irreparable injury will be caused to the appellant as electricity is a basic need. Whereas, no loss will be caused to the respondent as the appellant will be paying the charges @ domestic tariff and in case of any ambiguity the excess amount, if any can be settled later on. At this stage, the balance of convenience lies in favour of the appellant, therefore, **the respondents are directed to continue providing regular electricity connection in accordance with the domestic tariff till further orders and are restrained from interfering with the enjoyment of electricity connection. In the meantime, the appellant to comply with the Order 39 rule 3 CPC and affidavit of service be filed by tomorrow.**

Copy of order be given dasti.

(ANIL KUMAR PASWAN)
District Judge-07, SE/Saket/Delhi
17.02.2026