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

+ **W.P.(C) 7851/2021**

ABDUL SALAM

..... Petitioner

Through **Mr. R.N. Dubey, Advocate.**

versus

BSES YAMUNA POWER LTD.

..... Respondent

Through **Mr. Manish Kumar Srivastava and
Mr. Akhil Hasija, Advocates for the
Respondent No. 1.
Mr. Radhey Lal Sharma, Advocate
for R-2 and R-3.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

28.02.2022

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1. The hearing was conducted through video conferencing.
2. Learned counsel for the petitioner submits that rejoinder alongwith certain documents has been filed in the Registry. However, the same is not on record.
3. Let the counsel check up with the Registry and have the same placed on record.
4. Learned counsel for petitioner submits that respondents No.2 and 3 have not paid the entire arrears of electricity charges and as per him, only a sum of about Rs.18,000/- is to be paid by the petitioner.



He submits that this amount is based on the calculation given to the petitioner by respondent No.3 in his own handwriting on 25.11.2020.

5. He submits that without prejudice, the petitioner shall deposit the entire electricity dues of approximately Rs.80,000/- so that electricity supply can be restored without prejudice to his rights and contentions. He further prays that respondent No.3 is misusing the electricity supply and he should be restrained from misusing the electricity supply for any purpose other than domestic.

6. This is disputed by learned counsel for respondent No.3, who submits that electricity is not being misused.

7. Be that as it may, since the meter is domestic in nature irrespective of the fact that it is in the name of the petitioner or someone else, electricity supply cannot be used by any party for purposes other than domestic. Since the stand of respondent No.3 is that electricity supply is not being used for non-domestic purposes, respondent No.3 is directed not to use electricity for non-domestic purposes.

8. On petitioner depositing the said amount of Rs.80,000/-with the BSES, the electricity connection shall be restored forthwith. It is clarified that this deposit would be without prejudice to the rights and contentions of the parties.

9. List on 02.08.2022.



10. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through e-mail by the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 28, 2022

NA