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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 7947/2025, CM APPL. 34955/2025 & CM APPL.
34956/2025

REKHA RANI KINHA & ANR.

.....Petitioners

Through: Mr. Sachin, Adv.

versus

BSES RAJDHANI POWER LIMITED

.....Respondent

Through: Mr. Manish Kumar Srivastava, Mr.
Moksh Arora and Mr. Santosh
Ramdurg, Advs.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
29.05.2025

CM APPL. 34956/2025 (For Exemption)

1. Exemption allowed, subject to all just exceptions.
2. Accordingly, application is disposed.

W.P.(C) 7947/2025 & CM APPL. 34955/2025

3. The present writ petition has been filed seeking directions to the respondent to provide electricity connection to the premises of the petitioners.



4. It is submitted that the petitioner no.1 is the registered owner, in occupation of the ground floor and second floor of the property bearing No. *M-53, Gurudwara Road, Greater Kailash, Part-II, New Delhi-110048.*
5. Further, petitioner no. 2 is the registered owner, in occupation of third floor and terrace of the property bearing no. *M-53, Gurudwara Road, Greater Kailash, Part-II, New Delhi-110048.*
6. It is submitted that the petitioners have already shifted in the premises during the month of January, 2025, and had applied for a new electricity connection at the subject premises with the respondent, i.e., BSES Rajdhani Power Limited, even before shifting to the said premises.
7. It is submitted that the petitioners have also filed a complaint before the Consumer Grievance Redressal Forum (“CGRF”), detailing the entire grievance of the petitioners. However, no directions have come to be passed, by the CGRF in this regard.
8. Issue notice. Notice is accepted by learned counsel appearing for the respondent.
9. Learned counsel appearing for the respondent has handed over a copy of the letter dated 23rd April, 2025, from the Office of the Executive Engineer (Building), Municipal Corporation of Delhi (“MCD”), wherein, it is stated that the property in question has been booked for unauthorized construction. The letter dated 23rd April, 2025, issued by the Executive Engineer (Building), South Zone, MCD, reads as under:




MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (BUILDING)
BUILDING DEPARTMENT, SOUTH ZONE,
GREEN PARK, NEW DELHI

No. 140 /AE(B) - VSZ/2025 Date: 23/04/2025

1. The Addl. Chief Engineer (M-XI),
Delhi Jal Board,
Lajpat Nagar-II,
New Delhi-110024

2. The Assistant Vice President,
(P&M) South-II, Room No. 203,
BSES Building Adichini
Sri Aurobindo Marg,
New Delhi

On the St. Utility services Agency-
Govt. Coordination Cell (South)
BRPL, 33A Sub-stn. Grid, Adichini
Dra. Singh, New Delhi-11
Diary No. 51 / 81
Date: 29/04/2025

Sub: Action against unauthorised construction in as per the provision of DMCA Act 1957.

Sir,
This office has initiated action under Sections 343 & 344 of DMCA, Act 1957 against following property vide u/c file number mentioned against these property:-

S. No.	U/c File No.	Date	Name of owner/ occupier/ Builder	Property No. & Address	Extant of Unauthorized construction
1	69/UC/B- VSZ/2025	11/04/2025	1. Shunika chawla, Rekha rani, Pooja khanna, Rajvir singh	P. No. M-53 GK part II New Delhi Latitude: 28.534746 Longitude: 77.245412	Excess coverage/ deviation against SBP vide ID NO 10038513 dt 8-03-17 & SBP vide ID NO 10038513 dt 12-03-25 from BM to T.F

In compliance of office order No. PSC/891/2007 Dt. 13.12.2007 of Commissioner, MCD this intimation is hereby sent to you to initiate action against the said unauthorized construction as per provision of law regarding disconnection of water and electricity connection.

Yours faithfully

Sd/-
Asstt. Engineer(B)-VSZ

Copy to
1. OI (B)/SZ with the request to keep this letter with the above u/c file when received
2. O/C


Assistant Engineer (B)-VSZ

10. Learned counsel appearing for the respondent further submits that there are deficiencies in the application of the petitioners, which needs to be rectified.

11. Considering the submissions made before this Court, it is imperative that MCD is also arrayed as a respondent to the present petition.

12. Accordingly, MCD is arrayed as respondent no. 2 in the present petition.

13. Let Amended Memo of Parties be filed within a period of one day.



14. At this stage, learned counsel appearing for the petitioners, expresses urgency on account of the fact that the present matter pertains to grant of electricity connection in the property in question.

15. Accordingly, learned counsel appearing for the petitioners is granted liberty to communicate today's order to learned Standing Counsel for the MCD, to appear in the matter, on the next date of hearing.

16. Considering the urgency expressed by learned counsel appearing for the petitioners, list before the Vacation Bench on 04th June, 2025.

MINI PUSHKARNA, J

MAY 29, 2025/KR