



\$~99

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

+ **FAO 266/2025**

BSES YAMUNA POWER LIMITED

.....Appellant

Through: Mr. Moksh Arora, Advocate.

versus

RANI GAUTAM

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

%

24.09.2025

CM APPL. 60872/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 60870/2025 (for condonation of delay of 30 days in filing),
CM APPL. 60871/2025 (for condonation of delay of 76 days in re-filing)
CM APPL. 60869/2025 (stay) & FAO 266/2025

2. The appellant/defendant has assailed orders dated 29.10.2024 and 24.02.2025 of the learned trial court, whereby the appellant/defendant was directed to install electricity connection in the premises of the respondent/plaintiff.

3. Learned counsel for appellant/defendant submits that the electricity connection has not been installed in the subject premises because the respondent/plaintiff encroached upon the government land including the electricity pole. Thence, now the electricity pole is inside the premises of the respondent/plaintiff and installing electricity connection inside the premises



is a serious security threat. It is further explained by learned counsel for appellant/defendant that earlier the pole was outside the premises, so there was no disruption of electricity and it is only after the illegal encroachment by the respondent/plaintiff that the MCD disconnected the electricity supply in order to ensure safety to the occupants of the property.

4. Subject to appellant/defendant taking steps within one week, notice through all modes be issued to the respondent/plaintiff, returnable on 02.12.2025 in the Advance List.

5. Learned counsel for appellant/defendant shall always be at liberty to immediately approach this court as and when the respondent/plaintiff files any application under Order XXXIX Rule 2A CPC.

GIRISH KATHPALIA, J

SEPTEMBER 24, 2025/ry