

\$~42

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

+ W.P.(C) 6669/2018

LALIT BHASIN

..... Petitioner

Through : Mr.A.S.Chandhiok, Sr Advocate with  
Ms.Ratna Dhingra, Ms.Deepiti Arya,  
Ms.M.Pande and Mr.Ajay Pratap  
Singh, Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS ..... Respondents

Through : Ms.Malvika Trivedi, ASC for NDMC

**CORAM:**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

% **16.01.2019**

**CM APPL.No. 1189/2019**

This application is moved by the petitioner under section 151 CPC to deposit the electricity charges on domestic rates but whereas the learned counsel for the respondent objects to it and says previously also attempts were made to inspect the premises, but the petitioner did not allow the officials of the respondent to carry out the inspection. She submitted the domestic rates are applicable only where less than 50% of the permissible area is used for legal profession and rest is used for residential purposes, per clause 15.8 of the Master Plan 2021.

Since the allegations are the petitioner is using more than 50% of the area for professional purposes, the commercial rates would be applicable. In order to curtail the controversy, it would be appropriate if the officials of the respondent visit and inspect the premises of the

petitioner within two weeks from today. The learned senior counsel for the petitioner assured the petitioner will extend all possible co-operation in such inspection.

In the meanwhile, per submissions of the learned senior counsel for the petitioner and without the prejudice to rights and contentions of either side, the petitioner is permitted to deposit the electricity bill as per domestic rate, without any misuse charges.

The application stands disposed of.

Copy of this order be given *dasti* to the parties under signatures of the Court Master.

**W.P.(C) 6669/2018, CM APPL.No.25388/2018**

As sought, counter be filed by the respondents within four weeks from today with an advance copy thereof to the learned counsel for the petitioner. Rejoinder thereto, if any, be also filed within four weeks thereafter.

List on 16.05.2019.

Interim orders to continue.

**YOGESH KHANNA, J.**

**JANUARY 16, 2019**

*M*