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

+ W.P.(C) 6211/2012 & CM APPL. 16668/2012

HUMAN FUNDAMENTAL RIGHTS ASSOCIATION (REGD.) &
ORS. Petitioners

Through: Mr. Jagjit Singh and Mr. Preet Singh,
Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Ms. Prabhsahay Kaur, Advocate for
R-3 and R-7.

Ms. Mini Pushkarna, Standing
Counsel with Ms. Swagata and Ms.
Shiva Pandey, Advocates for R-
4/EDMC.

Mr. Anupam Verma, Mr. Nikhil
Sharma and Mr. Abishek Pundir,
Advocates for R-5.

Mr. Pradeep Misra and Mr. Daleep
Dhyani, Advocates for R-9.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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14.01.2019

CM APPL. 27920/2017

Non-applicants have no objection if the present application is allowed.
Accordingly, the application is allowed.

Consequently, Delhi Electricity Regulatory Commission and UP
Electricity Regulatory Commission are impleaded as respondent Nos. 10
and 11 respectively.

Amended memo of parties is at Annexure A-8 which is at page 1345

is taken on record.

On taking steps within one week let notice be served upon the newly impleaded respondent nos. 10 and 11. On receipt of the notices, the said respondents are directed to file counter affidavit to the petitioner within six weeks. Rejoinder thereto, if any, to be filed within four weeks thereafter.

CM APPLN. 5537/2017

On receipt of the notices, the respondent Nos. 9 to 11 are also directed to file reply to the instant application within six weeks.

Rejoinder thereto, if any, be filed within four weeks thereafter.

Respondent No. 9 shall also file the report including the setting up of requisite electricity distribution infrastructure in its area to supply electricity to the 2359 consumers as mentioned in C.M.APPLN. No. 27920/2017

W.P.(C) 6211/2012 & CM APPL. 16668/2012

I note Sh. Rakesh Kumar, S.D.M, Seema Puri has filed an affidavit on 15.09.2015 whereby stated that out of 590 properties 209 properties/houses were found partly in Delhi and partly in U.P. It is pertinent to mention here that vide order dated 23.07.2012, the Hon'ble Lieutenant Governor of Delhi has approved the proposal of the Department to include 209 houses in NCT of Delhi, which falls partly in Delhi and partly in UP. Thus, the property which falls partly in Delhi and partly in U.P. have been considered part of NCT of Delhi.

In said report, the SDM named above has also stated that annexure E which is at page 968 of the paper book that the total property 167 (total gali 16, total property 151) are falling in UP. If this is the position then, respondent No. 9 is bound to supply electricity to the properties mentioned in Annexure E as notified above.

Counsel for the respondent No. 9 seeks time to take instructions and assist the Court on the next date of hearing.

Counsel for NCT of Delhi is directed to supply the copy of the annexure E to the counsel appearing on behalf of the respondent No. 9 during the course of the day.

Renotify on 15.03.2019.

SURESH KUMAR KAIT, J

JANUARY 14, 2019
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