



2026:DHC:1304



\$~50

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

% *Date of decision: 11th February, 2026*

+ W.P.(C) 1962/2026 & CM APPL. 9571/2026

ARUN DEEP SHARMAPetitioner

Through: Mr. Neeraj Deora, Advocate.

versus

BSES RAJDHANI POWER LTD AND ANR.Respondents

Through: Mr. Sharique Hussain and Ms. Kirti Garg, Advocates for BSES.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

AMIT BANSAL, J. (Oral)

1. The present writ petition has been filed *inter alia* seeking a direction to respondent no.1/BSES to install the electricity connection/meter in premises situated at *Khasra No.24, 23, 22 5MIN, 6 MIN, Village Bijwasan, Near Salapur Khera, Delhi-110061* (hereinafter 'subject property').
2. The petitioner, being a developer/builder, allotted plots in the subject property to various purchasers. One of the said plots was sold by the petitioner to one Mr. Swadesh Kumar. Mr. Swadesh Kumar had applied for a new electricity connection before the respondent no.1/BSES.
3. However, the respondent no.1/BSES has refused to install the electricity meter, citing the restraint orders dated 31st December 2021 and 6th December 2024, passed by the office of SDM (Kapashera).
4. Counsel appearing on behalf of the petitioner submits that denial of



2026:DHC:1304



electricity connection on the basis of the aforesaid restraint order is unlawful and violative of the fundamental rights of the petitioner.

5. Counsel for the petitioner has placed reliance on the judgment of Coordinate Bench of this Court titled as ***BSES Yamuna Power Limited v. Bhagwanti & Anr. & other connected petitions, 2025:DHC:10086*** wherein the Bench had directed that electricity companies/distribution companies (DISCOM) should not create impediments in grant of electricity merely on the account of the fact that premises have been booked for unauthorised construction. However, as and when MCD takes coercive action against the properties, MCD shall duly intimate the concerned electricity companies, who shall then be free to disconnect the electricity connection.

6. Pursuant to the aforesaid judgment, a circular dated 17th November 2025 has been issued by GNCTD. The said circular is set out below:-



Government of National Capital Territory of Delhi
(Department of Power)
8th Level, B-Wing, Delhi Secretariat,
New Delhi-110095

No.E.11/2025/Power/7091-97 Dated 17.11.2025

CIRCULAR

Sub.: Regarding Grant of Electricity Connections in MCD-booked properties for unauthorized construction

1. Several public grievances have been received in the Power Department stating that DISCOMS have not granted electricity connections on the ground that the properties concerned stand booked by the Municipal Corporation of Delhi (MCD) for unauthorized construction. In many such cases, it has been reported that even after expiry of so many years from issuance of demolition orders by MCD, no action has been taken due to various reasons, and the properties continue to remain occupied, yet electricity connections have been withheld solely on the basis of "booking". As a result, citizens have faced problems



and there are likely instances of Electricity theft and unauthorized use of electricity, which would also lead to unwarranted and avoidable threat to the safety of the people.

2. Government has examined the latest judgment in the matter in consultation with Law Department and issues following directions to DISCOMS to appropriately balance individual rights with municipal enforcement requirements:-
- (i) Not to deny or discontinue electricity supply in premises merely because the property is booked for unauthorized construction.
 - (ii) To disconnect electricity only upon receiving formal intimation from MCD at the time of demolition sealing action.
 - (iii) To maintain full coordination with MCD for ensuring smooth execution of municipal enforcement actions.

-Sd/-
(Ravi Dedhich, IAS)
Spl. Secretary (Power)

To,

1. C.E.O. BSES Rajdhani Power Ltd.
2. C.E.O. BSES Yamuna power Ltd.
3. C.E.O. Tata Power Delhi Distribution Ltd.

COPY TO

7. A similar issue came up before this Court in another writ petition, being W.P.(C) 12105/2025, titled as '**Mr. Bhaya Prafull Kumar Singh & Ors. v. Govt. of NCT of Delhi & Ors.** wherein the petitioners, being the occupants of properties situated in *Revenue State of Village Bijwasan, Tehsil-Kapashera,*



District – South West Delhi, were denied electricity connection on the basis of the very same restraint order dated 6th December 2024 passed by the SDM. Following the judgment in ***BSES Yamuna Power Limited (supra)***, this Court, by judgment dated 10th February 2026, held that the restraint order cannot be the basis to deny electricity connection to the petitioners. The relevant extracts are set out below:-

*“16. In the judgment passed by a Coordinate Bench on 13th November 2025 in W.P.(C) 7618/2023 titled as ***BSES Yamuna Power Limited v. Bhagwanti & Anr. and other connected writ petitions***, ***it has been held that even in instances where a property has been booked for unauthorized construction, there can be no impediment upon the occupants of such property with respect to grant of electricity connections. It was further clarified that as and when MCD takes coercive action against such properties, the MCD shall duly intimate the concerned electricity companies in that regard.****

...

17. The rationale behind the aforesaid directions is equally applicable in the present case. Till the time the respondents take coercive/ demolition action against the properties of the petitioners, BRPL cannot deny them the grant of electricity connections.

18. Accordingly, a direction is issued to the respondent no.4/BRPL that they shall not deny electricity connections to the petitioners on the basis of the restraint order passed by SDM (Kapashera) on 6th December, 2024.

19. However, taking into account the deficiencies pointed out by the respondent no.4/BRPL, the petitioners shall apply afresh to the respondent no.4/BRPL for grant of electricity connections. The said application shall be decided in an expeditious manner by the respondent no.4/BRPL in accordance with its policies/guidelines.”

(Emphasis supplied)

8. In light of the judgments passed by this Court and the aforesaid circular issued by GNCTD on 17th November, 2025, the electricity distribution companies cannot deny the grant of electricity connection on the basis of the



2026:DHC:1304



general restraint orders passed by the SDM.

9. Accordingly, the present writ petition is disposed of directing the respondent no.1 to grant electricity connection to the petitioner in accordance with law and while disregarding the restraint orders dated 31st December 2021 and 6th December 2024 passed by the SDM.

10. A direction is also issued to the respondent no.1./BSES and other DISCOMs operating in Delhi that they should sensitise their staff with regard to the judgments passed by this Court and circular issued by GNCTD on 17th November 2025 so that parties are not denied electricity connection on the basis of restraint orders passed by the SDM.

AMIT BANSAL, J

FEBRUARY 11, 2026
ds