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

CNR No. DLHC010347862026

+ **W.P.(C) 10809/2026 & CM APPL. 50119/2026**

NATIONAL LAW UNIVERSITY DELHI Petitioner

Through: Mr. Saurabh Kirpal, Sr. Adv. with
Mr. Sanjay Vashistha, Standing
Counsel, NLUD with Ms. Adya
Luthra, Mr. Junaid Aamer, Mr.
Siddhartha Goswami and Mr. Rajat
Choudhary, Advs.

versus

BSES RAJDHANI POWER LIMITED Respondent

Through: Mr. Narender Hooda, Sr. Adv., Mr.
Rishab Raj Jain, Standing Counsel for
BSES RPL with Mr. Sharique
Hussain, Mr. Yuvraj Nandal, Mr.
Shiv Bhatnagar and Mr. Om Swarup
Kumar, Advs for R-1/BSES RPL.
Mr. Anirudh Dusaj, ASC for DERC,
Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **20.08.2026**

1. The present writ petition has been filed seeking the following reliefs:

- a) Issue an appropriate writ, order or direction in the nature of mandamus directing the Respondent to withdraw and/or set aside the impugned Communication/Order bearing No. AsVP/KCC/BRPL/GEN/2023-24/D-91 dated 19.01.2024, whereby the tariff category of the University was sought to be changed from CGHS-SPD to Domestic category;
- b) Issue an appropriate writ, order or direction in the nature of mandamus directing the Respondent to quash, withdraw, revise and/or recast all electricity bills raised upon the University under the Domestic HT Supply



tariff category from April 2024 onwards, including the latest bill dated 12.05.2026 (*annexed herewith as ANNEXURE P-4*) and bills thereafter till the disposal of the present Writ Petition and further direct the Respondent to refund/reimburse the excess amount recovered from the University pursuant to the impugned reclassification or, in the alternative, adjust the said excess amount in the future electricity bills of the University;

c) Issue an appropriate writ, order or direction in the nature of mandamus directing the Respondent to restore the electricity tariff category of the University to Cooperative Group Housing Society – Single Point Delivery (CGHS-SPD) with immediate effect;

2. Mr. Saurabh Kirpal, senior counsel appearing on behalf of the petitioner, submits that the respondent no.1/BSES Rajdhani Power Limited (BRPL), in an arbitrary manner, has changed the tariff category of the petitioner from Cooperative Group Housing Society-Single Point Delivery ('CGHS-SPD') to Domestic category, which has resulted in doubling of the applicable rate. The petitioner has made representations before the Delhi Electricity Regulatory Commission ('DERC'), however, the same are yet to be decided.

3. Notice in the petition was issued on 3rd August, 2026 and DERC was impleaded as respondent no.2.

4. Mr. Narender Hooda, senior counsel appears on behalf of the respondent no.1/BRPL and submits that a counter-affidavit has been filed yesterday.

4.1 The said counter-affidavit is not on record.

4.2 A copy of the counter-affidavit has been handed over in Court and the same is taken on record.



5. Paragraph 21 of the said counter-affidavit gives the tariff history in respect of the electricity connection granted in favour of the petitioner. The same is set out below:

“21. The tariff history furnished in respect of the subject connection is as follows:

PERIOD	TARIFF REFLECTED IN SAP
<i>28.08.2008 to 31.08.2011</i>	<i>HT_MLHT</i>
<i>01.09.2011 to 30.04.2015</i>	<i>NDHT</i>
<i>01.05.2015 to 12.03.2024</i>	<i>CGHS_SDP</i>
<i>13.03.2024 onwards</i>	<i>HT_DOM</i>

It is clarified that HT_MLHT and NDHT refer to the same tariff category. A copy of the SAP screenshot reflecting the tariff history of CA No. 100019219 from the date of energisation till date is annexed herewith and marked as ANNEXURE R-1/6.”

6. Mr. Hooda submits that from 1st May, 2015 to 12th March, 2024, the petitioner was charged as per the tariff applicable to ‘CGHS-SPD’, which was erroneous. Therefore, with effect from 13th March, 2024, the categorization was changed to High Tension-Domestic (‘HT-DOM’).

7. Counsel appears on behalf of DERC and submits that proper course of action would be to file a petition before the DERC. He submits that a similar petition raising issues as raised in the present petition is pending before the DERC.

8. Having heard the counsel for the parties, in my considered view, the issues raised in the present writ petition on have to be decided by the expert body constituted for this purpose, *i.e.*, DERC.

9. Accordingly, the present writ petition is disposed of while directing



the petitioner to file a petition before DERC within ten (10) days from today.

9.1 The said petition shall be decided by the DERC in an expeditious manner, not later than six (6) months.

10. Taking into account that the petitioner has been paying electricity under the 'CGHS-SPD' category from 2015 to 2024, it is directed that the petitioner shall continue to pay electricity at the said rate till the adjudication by the DERC.

10.1 This arrangement shall apply to the subsequent bills raised by the respondent no.1 on the petitioner and would not apply to the bills that have already been raised.

11. Pending application stands disposed of.

AMIT BANSAL, J

AUGUST 20, 2026

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