

\$~93

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5275/2018, CM Nos. 20447-20448/2018**
RAKESH KUMAR GOYAL Petitioner
Through: Mr. A. Maitri and
Ms. Radhika Chandra, Advs.
versus

TATA POWER DELHI DISTRIBUTION LTD. Respondent
Through: Mr. Manish Srivastava, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
ORDER
% **16.05.2018**

CM No. 20448/2018 (for exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5275/2018, CM No. 20447/2018

The present petition has been filed by the petitioner with the following prayers:

“In view of the above facts and circumstances and in the interest of justice, it is therefore, most humbly prayed that this Hon’ble Court may be pleased to:

- (i) Declare the order dated 16.04.2018 passed by the respondent in File No.243139 and Supplementary Bill dated 17.04.2018 for CA No. 60000013452 is null and void as the same is contrary to the provisions of DERC (Supply Code and Performance Standards) Regulations, 2017;*
- (ii) Quash and set aside the order dated 16.04.2018 passed by the respondent in File No.243139 and Supplementary*

Bill dated 17.04.2018 for CA No.60000013452 sanctioned for premises No.E-18, Sector 5, DSIIDC, Bawana, Delhi;

(iii) Pass any other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the present case.

And for this act of kindness the petitioner is duty bound shall ever pray."

Mr. Manish Srivastava, learned counsel appearing for the respondent states, remedy for the petitioner is to approach the Special Court in view of the judgment of the Coordinate Bench of this Court in ***W.P. (C) 5339/2010 Naresh Chand Singhal vs. NDPL*** and connected writ petitions. A copy of the same has been given to Mr. A. Maitri, learned counsel for the petitioner. Mr. A. Maitri after going through the same states that the petitioner shall approach the Special Court for appropriate relief. He also states, till such time the petitioner approaches the Special Court and the petitioner's application for interim relief is considered, he may be protected.

Learned counsel for the respondent states that for next seven days starting from today, no coercive action shall be taken pursuant to the order dated April 16, 2018 and bill dated April 17, 2018.

Noting the above submission, it is made clear the petitioner is at liberty to approach the Special Court within seven days along with an

application for stay. The petition and CM 20447/2018 are dismissed as withdrawn.

Dasti.

V. KAMESWAR RAO, J

MAY 16, 2018*/aky*