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

+ W.P.(C) 8347/2018, CM No. 32045/2018

INDAL MEMORIAL PUBLIC SCHOOL Petitioner
Through: Mr. Sushant Mukund, Adv.

versus

BSES YAMUNA POWER LTD. AND ORS. Respondents
Through: Mr. Ashish Verma and Mr. Manish
Kumar Srivastava, Advs. for R1.
Mr. Prashant Bhardwaj, Proxy
Counsel for Ms. Pratima K. Gupta,
Standing Counsel for DERC/R2.
Ms. Hetu Arora Sethi, ASC for R3.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **10.08.2018**

Present petition has been filed by the petitioner with the following prayers:

“It is, therefore, most respectfully prayed that this Hon’ble Court may kindly be pleased to:-

a. Issue a writ of mandamus or of any other nature quashing the tariff order for the year 2018-19 of respondent NO.2 qua putting the schools under Non-Domestic Commercial Category only and direct the respondents to put the private school under the category at par with the Govt. Schools / Aided Schools of Delhi.

b. quash the bill raised against the petitioner for misuse of electricity against the CA Number of petitioner i.e., 101163299 against the enforcement bill to the tune of Rs.1,55,476.18 ps. by the respondent no.1.

c. direct the respondent no.1 to re-convert the electricity connection of petitioner vide CA No. 101163299 into domestic category once again.

Pass any other order (s), which this Hon'ble Court may deem fit and proper to the facts and circumstances of the case, in favour of the petitioner.

Learned counsel for the respondents state that appropriate for the petitioner is to approach the Appellate Tribunal for Electricity as according to them the Tribunal would be within its jurisdiction to adjudicate the tariff order / tariff schedule. On this submission of the learned counsel for the respondents, learned counsel for the petitioner seeks to withdraw the petition with liberty to approach the Tribunal.

With liberty as prayed for the petition and the connected application are dismissed as withdrawn.

Dasti.

V. KAMESWAR RAO, J

AUGUST 10, 2018/jg