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

+ **W.P.(C) 5860/2017**

NARINDER PAL SINGH

..... Petitioner

Through: Mr. Varun Hans and Mr. Maneesh
Gumbar, Advs.

versus

STATE AND ANR

..... Respondents

Through: Mr. Sunil Fernandes, Standing
Counsel with Mr. Arnav Vidyarthi
and Ms. Anju Thomas, Advs. for R2.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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12.01.2018

CM. Nos. 45158/2017 and 1192/2018 (for exemptions)

Exemptions allowed subject to all just exceptions.

Applications stand disposed of.

CM. No. 1158/2018 (for stay)

This is an application filed by the applicant / petitioner with the following prayers:

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

- i) pass an ad-interim ex-parte order restraining the respondent no.2 from disconnecting the connection bearing New CA No. 401002192 old CA No. 100011873 situated at Premises no. C-11, East Uttam Nagar, New Delhi – 110059 till the disposal of the main petition before this Hon’ble Court;*
- ii) pass such further and / or other writ or direction, as this Hon’ble court may deem fit and proper in the facts and circumstances of the case.”*

After some arguments, learned counsel appearing for the respondent no.2 has taken an objection that the present petition per se is not maintainable as the remedy for the petitioner lies before the Additional District Magistrate. On this submission, learned counsel for the petitioner states, if the protection granted vide order dated July 19, 2017 is extended till January 31, 2018, the petitioner shall seek remedy of appeal before the Additional District Magistrate. The learned counsel for the respondent No.2 states, even though, the petition has been filed against the provisional order, a final order dated May 5, 2017 has been passed as is clear from Annexure R-1, Page 55 of the paper book, under Section 126 of the Electricity Act, 2003. At this stage, the learned counsel for the petitioner states, he shall also impugn this order before the Appellate Court.

Noting the aforesaid submissions, extending the protection of the order dated July 19, 2017 till January 31, 2018, the application and the petition are disposed of.

CM. Ns. 45157/2017 (for direction) and 24478/2017 (for stay)

In view of the order passed in the application/petition, these applications have become infructuous and disposed of as such.

The date already fixed, i.e., January 31, 2018 stands cancelled.

V. KAMESWAR RAO, J

JANUARY 12, 2018/jg