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

+ W.P.(C) 442/2019 & CM No.2009/2019

O N SHARMA

..... Petitioner

Through: Petitioner in person.

versus

GOVT. OF GNCT OF DELHI AND ORS. Respondents

Through: Mr Arvind Kumar Gupta, Advocate
for R-2.

Ms Kaadambari adn Ms Surabhi
Shekhar, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **18.01.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondents to re-categorise the lawyer's chambers in court complexes under the domestic category, or, at par domestic category for the purposes of electricity tariff.
2. The question whether the chamber used by the lawyers for carrying on their profession can be classified as a domestic use is no longer *res integra*. The said issue is concluded by the decision of the Supreme Court in ***MP Electricity Board and Ors. v. Shiv Narayan and Ors.: Civil Appeal No.1065/2000*** decided on 24.08.2005. The Court clearly held that exclusively running an office is, clearly, a “non-domestic use.”
3. The learned counsel appearing for respondent no.2 (Delhi Electricity Regulatory Commission) submits that the question whether use of lawyer's

chambers ought to be classified as a separate use is also subject matter of an appeal pending before the Appellate Tribunal (Appeal No.36/2018). He submits that the challenge in the present petition is to the tariff order and, therefore, the petitioner has an alternative remedy of an appeal before the Appellate Tribunal. The said contention is not contested.

4. In view of the above, the present petition is disposed of leaving it open for the petitioner to avail of alternative remedies.

5. The pending application is also disposed of.

VIBHU BAKHRU, J

JANUARY 18, 2019

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