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

+ **W.P.(C) 7713/2023 & CM APPL. 29806/2023**
BSY YAMUNA POWER LIMITEDPetitioner

versus

DHOOM SINGH & ANR.Respondents

37

+ **W.P.(C) 12855/2023 & CM APPL. 50657/2023**
BSY YAMUNA POWER LIMITEDPetitioner

versus

ANIL & ANR.Respondents

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+ **W.P.(C) 7736/2023 & CM APPL. 29850/2023**
BSY YAMUNA POWER LIMITEDPetitioner

versus

GYANENDER & ANR.Respondents

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+ **W.P.(C) 7737/2023 & CM APPL. 29853/2023**
BSY YAMUNA POWER LIMITEDPetitioner

versus

SUSHIL KUMAR & ANR.Respondents

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+ **W.P.(C) 7771/2023 & CM APPL. 29965/2023**
BSY YAMUNA POWER LIMITEDPetitioner



versus

PRABHAT BANSAL & ANR.

.....Respondents

Appearances:

Mr. Anupam Varma, Ms. S. Akshata and Mr. Nikhil Sharma, Advocates for BSES Yamuna Power Ltd.

Ms. Rachita Garg, Mr. Agam Rajput and Ms. Preeti, Advocates for State/SDM in Item No. 36.

Mr. Anurag Nasiar and Mr. Paripoorn Singh, Advocates for R-2 in Item No. 37.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

03.12.2024

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1. These five petitions are directed against orders of the Consumer Grievance Redressal Forum ['CGRF'] by which the petitioner-BSES Yamuna Power Ltd. has been directed to release the electricity connections on the complaints of respondent No. 1 in each petition. The principal ground of challenge is that the properties in question are not located within the National Capital Territory of Delhi ["NCT of Delhi"] and are thus outside the "area of supply" of the petitioner.

2. Learned counsel for the petitioner draws my attention to Schedule I of the license issued to the petitioner by Delhi Electricity Regulatory Commission for distribution and retail supply of electricity, which enumerates the area of supply of the petitioner, within the NCT of Delhi.

W.P.(C) 7713/2023 & W.P.(C) 12855/2023



3. Pursuant to orders of this Court, the Revenue Department, Government of National Capital Territory of Delhi [“GNCTD”] has filed status report in the writ petition Nos. W.P.(C) 7713/2023 and W.P.(C) 12855/2023, stating that the property is located in the State of Uttar Pradesh.

4. The Registry reports that service upon respondent No. 1 in each of these petitions, is complete. Respondent No. 1 has, however, chosen not to enter appearance. The status report of the GNCTD also records that respondent No. 1 in each case was found present at the site at the time of inspection. It is thus evident that the respondent No. 1 is aware of the proceedings but has chosen not to appear.

5. In view of the reports of GNCTD, the impugned orders of the CGRF in W.P.(C) 7713/2023 & W.P.(C) 12855/2023 are set aside.

6. W.P.(C) 7713/2023 & W.P.(C) 12855/2023 stand disposed of.

W.P.(C) 7736/2023, W.P.(C) 7737/2023 & W.P.(C) 7771/2023

7. Reports of the Sub Divisional Magistrate in writ petition Nos. W.P.(C) 7736/2023, W.P.(C) 7737/2023 and W.P.(C) 7771/2023 are awaited. The Revenue Department is directed to file reports in these three writ petitions also within two weeks.

8. Ms. Preeti and Mr. Anurag Nasiar, learned counsel for GNCTD in W.P.(C) 7713/2023 and W.P.(C) 12855/2023, are requested to take instructions and ensure that this order is complied with within the said period.

9. It appears from the Registry reports that service upon respondent No.1 in W.P.(C) 7737/2023 is complete. However, service upon respondent No. 1 in W.P.(C) 7736/2023 and W.P.(C) 7771/2023 is also



incomplete. Learned counsel for the petitioner is requested to serve respondent No. 1, in these two cases, through Mr. Vinod Kumar, learned Advocate who had appeared on their behalf in the CGRF. Mr. Vinod Kumar is requested to take instructions or to otherwise inform the respondent No. 1 of the pendency of this petition.

10. List on 31.01.2025.

PRATEEK JALAN, J

DECEMBER 3, 2024/MR/kb/