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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1534/2024**

**M/S ECONOMY SALES THROUGH ITS PARTNER MR.
RAVI KAMAL GUPTA**Petitioner

Through: Mr. Sanjiv Bahl, Ms. Apoorva
Bahl, Mr. Eklavya Bahl and
Mr. Pawas Agarwal, Advs.

versus

**NEW DELHI MUNICIPAL COUNCIL (NDMC) THROUGH
ITS CHAIRMAN (SH NARESH KUMAR) & ANR.**

.....Respondents

Through: Mr. Ashish Tiwari, Additional
Standing Counsel with Mr.
Anurag Tiwari and Mr. Sahib
Patel, Advs. for NDMC

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **25.09.2024**

1. This hearing is being conducted through hybrid mode.

CM APPL. 56543/2024 (Ex.)

2. Allowed, subject to all just exceptions.

3. The application stands disposed of.

**CONT.CAS(C) 1534/2024 and CM APPL. 56544/2024 (For
directions)**

4. The petitioner is seeking initiation of contempt proceedings against the respondents for the wilful defiance and disobedience of the order dated 06.09.2024, passed by the learned ADM, New Delhi (Appellate Authority) under Section 127 of the Electricity Act, 2006.

5. Learned Additional Standing Counsel for respondent/NDMC is present on advance notice through Video Conferencing, and his associate Counsels are present in the Court physically.

6. Learned counsel for the petitioner has alluded to the order dated



06.09.2024 passed by the learned Appellate Authority, and it appears that the petitioner is occupying a portion of the premises as licensee under the Garhwal Hiteshini Sabha (Regd.). There is some dispute between them and at the behest of the licensor Garhwal Hiteshini Sabha (Regd.), the respondent/NDMC has chosen to impose misuse charges with regard to the consumption of electricity by the petitioner.

7. On a bare perusal of order dated 06.09.2024, it appears that a direction was given to the respondent/NDMC to hear, not only Garhwal Hiteshini Sabha (Regd.) but also the petitioner and then pass a reasoned order on their respective complaints. Evidently, instead of doing the same, the petitioner has again been served with an electricity bill levying misused charges which is payable by 25.09.2024 for a sum of Rs. 1,62,461/- vide bill date 10.09.2024.

8. As there is an issue about the interpretation of order dated 06.09.2024, for now the present contempt petition is disposed of with a direction to the petitioner to pay the electricity charges *sans* the misused charges within seven days from today. In other words, the petitioner shall pay the consumption charges excluding the amount pertaining to the misuse charges within seven days from today. This payment shall be done without prejudice to the rights and contentions of the parties.

9. On making such deposit, the NDMC shall hear the petitioner as also the licensor Garhwal Hiteshini Shabha (Regd.) within 15 days thereafter and shall pass appropriate reasoned order in accordance with law.

10. The present contempt petition stands disposed of.

DHARMESH SHARMA, J.

SEPTEMBER 25, 2024/sp