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

+ **W.P.(C) 2522/2025**

**ELEVAR DIGITEL INFRASTRUCTURE PRIVATE LIMITED
FORMERLY KNOWN AS**

ATC TELECOM INFRASTRUCTURE PRIVATE LIMITED

THROUGH ITS AUTHORIZED REPRESENTATIVE

MR AMIT VIKRAM DUBEY

.....Petitioner

Through: Mr. Shikhar Garg, Mr. Ojasvi,
Ms.Krishna Saklani and Ms. Ankita Sikdar,
Advocates.

versus

TATA POWER DELHI DISTRIBUTION LIMITED

THROUGH ITS AUTHORIZED REPRESENTATIVE

& ORS.

.....Respondents

Through: Mr. Manish Srivastava, Mr. Moksh
Arora and Mr. Santosh Ramdurg, Advocates with
Mr. Amit Singh, AGM (Legal), for Respondent
No.1/TPDDL.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

28.02.2025

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C.M. APPL. 11921/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 2522/2025 and C.M. APPL. 11920/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of Constitution of India laying a challenge to order dated 30.10.2024 passed by Enforcement Cell of Tata Power Delhi Distribution Limited ('TPDDL').



4. Issue notice.
5. Mr. Manish Srivastava accepts notice on behalf of Respondent No.1.
6. From a plain reading of the writ petition as also Annexure-10 to the same, it is evident that Petitioner had already exhausted the remedy of filing an appeal against the impugned Order dated 30.10.2024 before the Additional District Magistrate, North-West and the appeal is pending. There is no gainsaying that Petitioner cannot be permitted to avail two remedies at the same time for the same cause of action.
7. Accordingly, writ petition is dismissed as not maintainable. It is made clear that this Court has not expressed any opinion on the merits of the case. The Appellate Authority is requested to make every endeavour to dispose of the appeal as expeditiously as possible.
8. Pending application stands disposed of.

JYOTI SINGH, J

FEBRUARY 28, 2025

B.S. Rohella