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

+ **W.P.(C) 2907/2025**

VIKAS BHUSHAN GUPTA

.....Petitioner

Through: Mr. Vikas Gupta, Mr. Sohil Sharma,
Mr. Ieshaan Gupta and Ms. Aditi Saxena,
Advocates.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Nitika Bhutani, Advocate for
R-1.

Mr. Manish Srivastava, Mr. Moksh Arora and Mr.
Yash Srivastava, Advocates for R-3/BSES RPL.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **07.03.2025**

CM APPL. 13821/2025

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

W.P.(C) 2907/2025 & CM APPL. 13820/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

“(a) Pass an order thereby directing the respondent No. 3 to convert the electricity connection of the Petitioner from the category of Non-Domestic to Domestic in this present case;

(b) Direct the Respondent No. 3 to Calculate the electricity charges commencing from March' 2010 in terms of the unit and charges which comes under the category of Domestic Tariff Category and refund the excessive amount paid by the Petitioner to the Respondent till date;”

4. Issue notice.



5. Learned counsels, as above, accept notice on behalf of the respective Respondents.

6. Learned counsel for Respondent No.3 takes an objection to the maintainability of this writ petition on the ground that the appropriate remedy for the Petitioner to raise the dispute with respect to conversion of the electricity connection from the category of non-domestic to domestic in respect of premises bearing no. M-88 Lower Ground Floor, Greater Kailash-II, Delhi lies before the Consumer Grievance Redressal Forum ('CGRF'). In support, reliance is placed on a Notification dated 24.06.2024 whereby in exercise of powers conferred by sub-Sections (2)(r) and (2)(s) of Section 181 read with sub-sections (5), (6) and (7) of Section 42 of the Electricity Act, 2003 ('2003 Act') and all other powers enabling in this behalf, the Delhi Electricity Regulatory Commission (DERC) has framed "*Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers Regulation, 2024*". It is pointed out that definition of the expression 'Grievance' under Regulation 2(7) includes change in billing category and ownership changes. Copy of the Notification is taken on record.

7. Petitioner who appears in person withdraws the writ petition to take recourse to appropriate remedy before CGRF. It is however submitted that till the grievance is placed before the CGRF, Respondent No. 3/BSES RPL be restrained from disconnecting the electricity in the subject premises.

8. Writ petition is disposed of as withdrawn, with liberty as prayed for in accordance with law. It is directed that in case Petitioner approaches the CGRF within three weeks from today, Respondent No.3 shall not disconnect the electricity of subject premises, till the matter is taken up for



consideration by the CGRF, whereafter it will be for the CGRF to continue, vacate or modify the interim order.

9. It is made clear that this Court has not expressed any opinion on the merits of this case and all rights and contentions of respective parties are left open.

10. Pending application stands disposed of.

JYOTI SINGH, J

MARCH 7, 2025

S.Sharma/shivam