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

+ **W.P.(C) 4871/2024 & CM APPL. 19901/2024**

SMT. SANTOSH & ORS.Petitioners

Through: Ms. Suruchi Mittal, Advocate.

versus

BSES YAMUNA POWER LTD. & ORS.Respondents

Through: Mr. Manish Kumar Srivastava, Mr. Moksh Arora and Mr. Santosh Ramdoug, Advocates for BSES.

Ms. Rachita Garg, Mr. Agam Rajput and Ms. Preeti, Advocates for R-2 and R-3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

10.01.2025

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1. This writ petition has been preferred on behalf of the Petitioners seeking the following reliefs:-

“a. Pass a writ, order or direction in the nature of writ of mandamus thereby directing the respondent No.1 BSES Yamuna Power Ltd. to restore the electricity meter and connection having CA no. 101543613 of subject premises 75 sq yards on rear side out of 200 sq yards of property bearing no. MA no.305, khasra no.665, Gokul Pur, in the abadi of Amar Colony, Harijan Basti, Gokulpur, Illaqa Shahdara, Delhi-110094 belonging to the petitioners.”

2. After canvassing some arguments, learned counsel for the Petitioners, on instructions, seeks to withdraw this writ petition with liberty to approach the Consumer Grievance Redressal Forum (‘CGRF’) under Section 42(5) of the Electricity Act, 2003 in light of the judgment of the Supreme Court in ***Maharashtra Electricity Regulatory Commission v. Reliance Energy Ltd.***



and Others, (2007) 8 SCC 381, and of the Division Bench of this Court in *Ram Kishan v. N.D.P.L., 2005 SCC OnLine Del 1281* as also order of the Co-ordinate Bench of this Court in *Mr. Amrit Singh v. BSES Rajdhani Power Ltd. (BRPL) and Anr., W.P. (C) 10079/2024*, decided on 24.07.2024. It is, however, urged that the interim order dated 05.04.2024 by which direction was issued to the Respondents to restore the electricity connection of the Petitioners, subject to deposit of Rs.29,475/- be continued till the Petitioner takes recourse to the appropriate remedy.

3. Learned counsels for the Respondents, in all fairness, do not oppose this request as the amount directed by the Court was deposited by the Petitioners.

4. Accordingly, this writ petition is disposed of as withdrawn with liberty to the Petitioners to take recourse to appropriate remedy with respect to restoration of the electricity meter and connection in question. It is directed that in case the Petitioners approach CGRF under Section 42(5) of the Electricity Act, 2003, within a period of six weeks from today, interim order dated 05.04.2024 will continue till any further decision by the said Forum. It is made clear that CGRF will be at liberty to take a decision in accordance with law and without being influenced by any order passed by this Court. This Court has neither entered into nor expressed any opinion on the merits of the case.

5. Pending application stands disposed of.

JYOTI SINGH, J

JANUARY 10, 2025/shivam