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

+ W.P.(C) 7736/2023 & CM APPL. 29850/2023

BSES YAMUNA POWER LIMITEDPetitioner

Through: Mr. Anupam Varma, Mr. Nikhil
Sharma, Ms. S. Akshata, Advocates
(M:8340462840)

versus

GYANENDER & ANR.Respondents

Through: Ms. Rachita Garg, Mr. Agam Rajput,
Ms. Preeti, Advocates for
SDM/GNCTD (M:7838066417)

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+ W.P.(C) 7737/2023 & CM APPL. 29853/2023

BSES YAMUNA POWER LIMITEDPetitioner

Through: Mr. Anupam Varma, Mr. Nikhil
Sharma, Ms. S. Akshata, Advocates

versus

SUSHIL KUMAR & ANR.Respondents

Through: Ms. Rachita Garg, Mr. Agam Rajput,
Ms. Preeti, Advocates for
SDM/GNCTD

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+ W.P.(C) 7771/2023 & CM APPL. 29965/2023

BSES YAMUNA POWER LIMITEDPetitioner

Through: Mr. Anupam Varma, Mr. Nikhil
Sharma, Ms. S. Akshata, Advocates

versus



PRABHAT BANSAL & ANR.

.....Respondents

Through: Ms. Rachita Garg, Mr. Agam Rajput,
Ms. Preeti, Advocates for
SDM/GNCTD

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
24.03.2025

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1. The present petitions have been filed on behalf of the BSES Yamuna Power Limited ("BYPL") challenging the legality and validity of the order dated 22nd February, 2023, passed by the Consumer Grievance Redressal Forum ("CGRF") in CG No. 176/2022. By way of the impugned order, learned CGRF has directed the petitioner herein to sanction electricity connection to the premises of the respondent no.1, after completion of all the commercial formalities and without asking him DC/Revenue Record.
2. Learned counsel for the petitioner submits that the order passed by the CGRF, is erroneous, as by way of the said order, the petitioner herein has been directed to sanction electricity connection with respect to the premises, which fall within the territory of the State of Uttar Pradesh and outside the area of supply of the petitioner.
3. It is submitted that such direction to the petitioner to supply electricity within the territory of the State of Uttar Pradesh, which does not fall within the area of supply of the petitioner, is totally misplaced and thus, the impugned order is liable to be set aside.
4. Learned counsel for the petitioner also relies upon the order dated 03rd December, 2024, passed in W.P.(C) 7713/2023 titled as *BSES Yamuna Power Ltd. versus Dhoom Singh and Anr.*, and other connected matters.



5. This Court notes that in terms of the Section 42(5) of the Electricity Act, 2003, every distribution shall establish a CGRF having jurisdiction over its area of supply. Thus, in the present case, CGRF constituted by the petitioner, could not have issued directions in respect of premises falling beyond the petitioner's designated area of supply.

6. Further, any supply of electricity to the premises falling outside the area of supply of the petitioner, will be in violation of the provisions of the Electricity Act, 2003 and the distribution and retail supply of electricity licences issued by the Delhi Electricity Regulatory Commission.

7. The Revenue Department, Government of NCT of Delhi ("GNCTD") had been directed to file its Status Report vide order dated 30th May, 2023.

8. Learned counsel appearing for the GNCTD has handed over Status Report with respect to the three petitions, which are taken on record.

9. As per the Status Report filed by the Sub-Divisional Magistrate ("SDM") (Karawal Nagar) North-East District, the premises in the present writ petitions, fall in Uttar Pradesh.

10. Accordingly, it is clear that the premises of respondent no.1, in the respective cases, do not fall within the jurisdiction of Delhi and thus, fall outside the jurisdiction of the petitioner, as well.

11. In view of the report filed by the SDM (Karawal Nagar) North-East District, the impugned orders passed by the CGRF, are hereby set aside.

12. Considering the nature of the dispute before this Court, it is directed that before passing any orders in similar cases, learned CGRF shall obtain reports from the Revenue Department, GNCTD, in order to assess the fact as regards the location of the said premises, and whether the same fall within the jurisdiction of such electricity supplying companies, or not.



13. The present petitions, along with the pending applications, are accordingly disposed of, in terms of the aforesaid directions.

MINI PUSHKARNA, J

MARCH 24, 2025

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