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

+ W.P.(C) 5651/2022, CM APPL. 16832/2022

REEPAK KANSAL AND ORS.

.....Petitioners

Through: Mr. Manoj Kumar Dwivedi and Mr
Navdeep Garg, Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL AND ORS.Respondents

Through: Ms. Vaishali Gupta, SPC GNCTD
Mob:8383031929
Email: gvaishaliadv@gmail.com
Mr. Anirudh Dusaj, Adv for
Respondent No.3 (DERC)

+ W.P.(C) 9365/2022, CM APPL. 28077/2022

DELHI HIGH COURT BAR ASSOCIATION

.....Petitioner

Through: Appearance not given

Versus

NEW DELHI MUNICIPAL COUNCIL & ANR.Respondents

Through: Ms. Puja S. Kalra, Additional
Standing Counsel for NDMC with
Mr. Virendra Singh, Adv.
Mob. 9312839323
Mr. Durga Dutt, Add. Standing
Counsel, Pradeep Yadav Adv,



Ravleen Kaur Kalsi, Adv For
Respondent (NDMC)
Mr. Anirudh Dusaj, Adv for
Respondent No.3 (DERC)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
21.05.2025

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1. Secretary of the Executive of the Bar Association of Delhi High Court, has entered appearance in the matter.
2. The present petitions have been filed for restraining the respondent New Delhi Municipal Council ("NDMC") for recovering the Sundry/ CCTV charges in the regular consumption bill of Lawyers Chambers in the Delhi High Court complex for February 2022, and for directions to the respondents to grant benefit of special subsidy to Lawyers Chambers in the Delhi High Court.
3. This Court notes that *vide* order dated 03rd June, 2022, passed in W.P.(C) 9365/2022, it has been recorded as follows:-

"xxx xxx xxx

4. Ms. Puja Kalra, learned Additional Standing Counsel appears and accepts notice on behalf of respondent No. 1/NDMC. She, on advance instructions, submits that a clarification has been issued on behalf of the Joint Director (Commercial) wherein it is stated that the Special Subsidy Scheme of Govt. of NCT, Delhi, applicable to the lawyers chambers in Court premises, has been implemented from the billing cycle of February, 2022. She further submits that in terms of the aforesaid Scheme a decision has also been taken to reverse the charges with effect from 01.04.2018 till implementation of KVAH pattern and seeks some time to take further instructions with respect to prayers (b) and (c) made in the present petition.



xxx xxx xxx”

(Emphasis Supplied)

4. This Court further notes that vide order dated 18th November, 2024, it has been noted as follows:-

“1. Ms. Puja S. Kalra, learned Standing Counsel for New Delhi Municipal Council [“NDMC”], states that the subsidy in the electricity bills has been granted in respect of lawyers’ chambers in the Delhi High Court for lawyers who applied for subsidy with effect from 01.10.2022, and to all the lawyers’ chambers with effect from 01.04.2024.

2. Mr. Sanjay Dewan, learned counsel for the Delhi High Court Bar Association, however, states that many of the members of the Bar Association have not been accorded the subsidy. The matter was passed over to enable the learned counsel for the parties to resolve the matter. At second call, Ms. Kalra submits that the subsidy has been granted to those who have applied for the connection in the category of advocates, but has not been granted to those who applied simply in the non-domestic category. She states that NDMC will make a proposal to the Bar Association for holding a one-day camp to resolve the grievances of the members.

3. To enable the parties to make an attempt to resolve their grievances, list on 15.01.2025.

4. In the meanwhile, Ms. Kalra also submits, on instructions, that some of the allottees of the Bar Association have forcibly removed the smart meters installed in their chambers and/or are not permitting installation of the smart meters. She may file an affidavit to this effect, clearly identifying the chambers in which this problem has occurred. Mr. Dewan assures the Court that the Bar Association will counsel its members in this regard.”

(Emphasis Supplied)

5. A perusal of the aforesaid order shows that directions were given to the Bar Association, for holding a one day camp, to resolve the grievances of the petitioners with respect to the issue of subsidy in the electricity bills in the Lawyers Chambers in the Delhi High Court.

6. Learned counsel appearing for the petitioners submits that pursuant to



the aforesaid order dated 18th November, 2024, a camp was also held. The submissions of the NDMC in this regard, are reproduced as under:-

"2. That the said affidavit being filed in compliance order dated 18.11.2024 passed by this Hon'ble Court, that in compliance of last direction commercial department of NDMC has arranged a one day camp with the prior approval of the competent authority on 09.01.2025 to resolve the grievances of the members of the Bar Association at Delhi High Court Complex, New Delhi. The office order is annexed herewith as ANNEXURE-A. Many advocates of petitioner availed the benefit of camp. Photographs of camp are annexed herewith as ANNEXURE-B. It is further submitted that some allottee of petitioner association, where smart meters are not installed/ not permitting installing, list of the same annexed herewith as ANNEXURE-C. "

(Emphasis Supplied)

7. A perusal of the aforesaid shows that one day camp was organized on 09th January, 2025 to resolve the grievances of the members of the Bar Association at Delhi High Court complex. As per the aforesaid affidavit, many advocates from the Delhi High Court Bar Association have already availed the benefit of the camp.

8. Learned counsel appearing of the respondent NDMC draws the attention of this Court to the affidavit of respondent no.1 in W.P.(C) 5651/2022, relevant portion of which reads as under:-

"xxx xxx xxx

8. That another letter dated 01.04.2022 issued by the answering Respondent was served to a similarly situated advocate, who raised the exact same grievance, intimating that the bills are raised in two part tariff i.e. fixed charges and units consumption charges. The fixed charges are driven on the basis of use type of load in the premises and depends on power factor recorded by the meter for conversion from kW to kVA, whereas the unit consumption are being charged on KVAH recorded by the energy meter as per DERC Tariff Order. Further, it mentioned that the sundry amount as mentioned the bill cycle of February, 2022, was not related to CCTV installation charges but recovery on account short billing w.e.f 01.04.2018 to June/July/August, 2020 on non-domestic connections due to conversion of billing concept from KWH to KVAH as



per DRRC Tariff order issued on 28.03.2018, which shall be adjusted after making necessary calculations. Copy of the letter dated 01.04.2022 is annexed as ANNEXURE -R3-."

9. By reference to the aforesaid affidavit, learned counsel appearing for the NDMC submits that the dispute, with regard to the tariff in the bills, was not with respect to any Sundry amount for CCTV, but recovery on account of short billing i.e., adjustment of the bills, for the purposes of extension of subsidy to the lawyers in the electricity bill.

10. The aforesaid statement is taken note of.

11. At this stage, learned counsel appearing for the petitioners submits that though the issue has been resolved largely, however, in case any representation is received from any member of the Delhi High Court Bar Association, they may be granted opportunity to make a representation to the respondent NDMC.

12. Learned counsel appearing for the petitioners in *W.P.(C) 5651/2022* makes a similar submission that in case there is any representation on behalf of the petitioners in *W.P.(C) 5651/2022* with respect to any grievance regarding the Sundry/ CCTV charges in the electricity bill, as regards the extension of subsidy issued by the respondent NDMC, they be also granted a liberty to file a representation.

13. Accordingly, liberty is granted to the petitioners to file a representation with the respondent NDMC, in case need be, with regard to the grievance of any lawyer, whose grievance with regard to extension of subsidy to the lawyers in the electricity bill for the chambers, still remains.

14. In case, the petitioners are aggrieved by any decision of the respondent NDMC upon a fresh representation, the petitioners are at liberty to seek their remedies, in accordance with law.



15. Accordingly, the present petition, along with pending application, stands disposed of.

MINI PUSHKARNA, J

MAY 21, 2025/neha