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

+ **FAO 270/2025**

BSES YAMUNA POWER LIMITED

.....Appellant

Through: Mr. Manish Srivastava and Mr.
Moksh Arora, Advocates

versus

OMWATI

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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26.09.2025

CM APPL. 61923/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 61922/2025 (delay in filing (26 days)

2. For the reasons mentioned in the application, the delay in filing the petition is condoned.

FAO 270/2025 & CM APPL. 61921/2025 (stay)

3. The appellant has assailed order dated 31.05.2025 of learned trial court, whereby an *ex-parte* injunction, restraining the appellant/defendant from disconnecting electricity supply to the premises of the respondent/plaintiff on the ground of non-payment of billed amount of Rs. 33,89,920/- was passed.

3. Learned counsel for appellant submits that he has already filed an application under Order XXXIX Rule 4 CPC, which has been posted for



December 2025 and the respondent/plaintiff is enjoying electricity free of cost.

4. After part submission, learned counsel for appellant seeks permission to withdraw this appeal with the request to direct the learned trial court to expeditiously dispose of the applications under Order XXXIX Rule 1 and 2 CPC and under Order XXXIX Rule 4 CPC.

5. Accordingly, the appeal is dismissed as withdrawn with the request to the learned trial court to dispose of applications under Order XXXIX Rule 1 and 2 CPC and under Order XXXIX Rule 4 CPC expeditiously, but positively within four weeks from today. The accompanying applications also stand disposed of.

GIRISH KATHPALIA, J

SEPTEMBER 26, 2025

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