



\$~23

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

+ **W.P.(C) 8337/2024 & CM APPL. 34119/2024**

BSES RAJDHANI POWER LTD.Petitioners

Through: **Mr. Shariove Hussain & Ms. Kirti
Garg, Advocates.**

versus

SMT NEELAM CHHABRA & ANR.Respondents

Through: **Mr. Shiv Charan Garg & Mr. Imran
Khan, Advocates for R-1.
Mr. Kunal Bhardwaj (SPC), with Mr.
Aman Chaubey and Ms. Bhavna
Gupta, Advocates for UoI.
Dr. Abhishek Atrey & Mr. Navneet
Gupta, Advocates for R-2.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

%

23.03.2026

1. The present petition has been filed seeking set aside of the order dated 28th November 2023, passed by the Consumer Grievance Redressal Forum (CGRF) in case bearing no.CG-93/2023, titled '*Ms. Neelam Chhabra v. BSES Rajdhani Power Ltd.*'
2. The operative part of the said order is set out below:



10. We have heard the parties at length and gone through the documents filed before us. Followings are our observations:

- i) The disconnection of electricity supply against CA No. 153542583 (disconnected on 09.10.2023 little after 9 PM) was restored on 01.11.2023 at 16:15 Hrs.
- ii) Although, the respondent mentioned that electricity supply was disconnected on 09.10.2023 based on CAQM's communication vide email dated 09.10.2023 but no such email communication from CAQM is available in the records and also no communication from CAQM is available for restoration of electricity supply in the records.

11. The complainant has mentioned that no order of disconnection was given to BSES for disconnection of electricity and BSES has done a wrong and illegal act in disconnection of electricity supply on 09.10.2023, without any order from competent authority. The complainant also mentions that the disconnection was done with the intention to harass ~~her~~ and ~~his~~ tenant.

12. The forum is of the view that the respondent has committed a grave error in disconnecting the electricity supply of the said premises, without any direction from the competent authority and that too in violation of DERC regulations, 2017, clause 51(1) & (3) of DERC (Supply Code and Performance Standard). Moreover, the disconnection was done after 12 noon without any prior notice.

13. The respondent has admitted before the Forum that it was wrongly disconnected and admitted his fault. The Forum takes a serious view of this lapse on part of concerned BSES officer and directs the BRPL to take appropriate action in the matter as it tarnishes the image of the organization, which supplies electricity to the consumers in Delhi.

3. Notice in the present petition was issued *vide* order dated 30th May 2024. Counter-affidavit on behalf of the respondent no.1 and the respondent no.2/Commission for Air Quality Management (CAQM) has been filed.

4. Counsel appearing on behalf of the petitioner/BSES submits that the electricity supply of the respondent no.1 was disconnected on 9th October, 2023, based on an email communication dated 9th October 2023 sent by the



respondent no.2/CAQM.

5. Attention of the Court has been drawn to the aforesaid communication (*Annexure P-8 of the writ petition*), read with the corrigendum dated 22nd August, 2023 (*Page no. 80 of the writ petition*).

6. Counsel appearing on behalf of the respondent no.2/CAQM also supports the case of the petitioner and submits that a communication was sent on behalf of CAQM, through the petitioner, for the disconnection of electricity.

7. Mr. S.C. Garg, counsel appearing on behalf of the respondent no.1 submits that the connection was disconnected wrongfully and the respondent no.1 has filed a civil suit claiming damages against the petitioner company.

8. Be that as it may, in view of the submissions noted above, the finding in the impugned order that the petitioner/BSES disconnected the electricity supply of the respondent no.1, without any order from the respondent no.2/CAQM, is against the record and is hence quashed.

9. Accordingly, the impugned order is set aside. Consequently, the directions given in paragraph no.13 of the impugned order are also set aside.

10. Needless to state that the observations made herein would not affect the adjudication of the civil suit filed by the respondent no.1 claiming damages.

11. Accordingly, the writ petition stands disposed of.

12. Pending application also stands disposed of.

AMIT BANSAL, J

MARCH 23, 2026

at