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

+ W.P.(C) 2183/2016 & CM APPL. 9341/2016

BSES RAJDHANI POWER LIMITED Petitioner

Through: Mr. Manish Srivastava, Mr. Moksh
Arora & Mr. Santosh Ramdurg,
Advocates.

versus

SUDHARSHANA RANI Respondent

Through: Mr. Mukul Dhawan, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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14.12.2023

1. The challenge of the petitioner – BSES Rajdhani Power Ltd. [“BSES”] in this petition under Article 226 of the Constitution of India is to an order of Consumer Grievances Redressal Forum [“CGRF”] dated 10.02.2015 by which CGRF quashed a demand of ₹14,07,368/- raised by the petitioner upon the respondent, holding that the respondent - consumer was entitled to waiver of the dues payable by him to the erstwhile Delhi Electric Supply Undertaking/Delhi Vidyut Board.

2. Mr. Manish Srivastava, learned counsel for the petitioner, accepts that issue is covered against petitioner by a Division Bench decision of this Court dated 10.01.2023 in LPA 724/2011 and connected matters [*Govt. of Delhi vs. Ranbir Singh*].



3. By orders dated 07.08.2023 and 23.11.2023, however, Mr. Srivastava's submission was recorded to the effect that Government of NCT of Delhi ["GNCTD"] has preferred a Special Leave Petition against the judgment of the Division Bench. He states today that despite filing of the SLP on 25.08.2023, it appears from the case status that the petition remains in defect before the Supreme Court.

4. Mr. Srivastava also clarifies that the recovery of the amount was being undertaken by the petitioner on behalf of the Delhi Power Company Limited, which is an undertaking of GNCTD, as they pertained to the erstwhile dues of Delhi Electric Supply Undertaking/Delhi Vidyut Board.

5. As the matter is covered by a Division Bench decision of this Court, which was delivered almost one year ago, I do not consider it appropriate to keep the petition pending any further.

6. The writ petition is dismissed, however, with liberty to the petitioner to recover the disputed amount in the event, the Supreme Court reverses the view taken by this Court. Mr. Mukul Dhawan, learned counsel for the respondent, also accepts this course of action.

7. The writ petition is dismissed with liberty as aforesaid.

PRATEEK JALAN, J

DECEMBER 14, 2023

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