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

% **Date of Decision: 10th September, 2025**

+ W.P.(C) 13863/2025 & CM APPL. 56840/2025

RAJESH KUMAR SACHDEVA

.....Petitioner

Through: Mr. B.P. Aggarwal and Mr. Rajesh Sachdeva, Advs.

versus

BSES RAJDHANI POWER LTD.

.....Respondent

Through: Mr. Moksh Arora and Mr. Santosh Ramdurg, Advs.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL)

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking directions to the respondent to convert the category of the electricity connection bearing CA No. 154760376, installed at *House No. B-1/2 PVR Anupam Road, Saket, Near PVR Cinema, New Delhi-110017*, from 'non-domestic' to 'domestic' purpose, and to sanction the new electricity connection for domestic purpose for the first floor and second floor of the property in question, as applied for *vide* request No. 008007777418.
2. Issue notice. Notice is accepted by learned counsel appearing for the respondent.
3. Learned counsel appearing for the respondent submits that the present writ petition would not be maintainable as there is an alternate remedy for



filing a complaint before the Consumer Grievance Redressal Forum (“CGRF”).

4. Learned counsel appearing for the respondent relies upon the Delhi Electricity Regulatory Commission (Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers) Regulation, 2024 (“Regulation”), to submit that for any grievance with regard to a new connection or change in billing category, a complaint can be filed before the CGRF.

5. Responding to the aforesaid submissions, learned counsel appearing for the petitioner submits that since the petitioner seeks conversion of the existing connection to a domestic connection for the basement of the property in question, power to give directions thereto is available only with the High Court.

6. He draws the attention of this Court to the judgment dated 13th May, 2025, passed by this Court in *W.P.(C) 17658/2022*, titled as “*Sh. Joginder Kumar Goyal & Anr. Versus BSES Rajdhani Power Limited & Anr.*”.

7. I have heard learned counsels appearing for the parties.

8. At the outset, this Court notes the Regulation issued by the Delhi Electricity Regulatory Commission, relevant portions of which read as under:

“xxx xxx xxx

1. Short title, application and commencement

a) These Regulations may be called the **Delhi Electricity Regulatory Commission (Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers) Regulations, 2024.**

xxx xxx xxx

2. Definitions



.....
e) **“Consumer Grievances Redressal Forum” or “CGRF” or “Forum” means the forum for redressal of grievances of electricity consumers, established by a Distribution Licencee pursuant to Section 42(5) of the Act and these Regulations;**

.....
i) **“Grievance” includes** but not limited to the following:

.....
(ii) **New Connection, Non-Supply of or Interruption in Power supply;**

.....
(vii) **Change in billing category, ownership changes;**

xxx xxx xxx”

(Emphasis Supplied)

9. Perusal of the aforesaid Regulations issued by the Delhi Electricity Regulatory Commission, clearly shows that the CGRF has been defined as the forum for redressal of grievances, where ‘grievance’ has been defined to include any issue with respect to new connection, as well as change in billing category. Therefore, the prayer of the petitioner, with regard to change of category of the electricity connection from ‘non-domestic’ to ‘domestic’ purpose for the basement of the property in question as well as for grant of a new electricity connection for the first floor and second floor of the property in question, can be considered by the CGRF.

10. This Court notes that *vide* judgment dated 13th May, 2025, in the case of *Sh. Joginder Kumar Goyal (supra)*, this Court has categorically held as follows:

“xxx xxx xxx

41. It has been clarified that if a connection has been granted in respect of the ground floor of the premises under “domestic” category and the basement of the same property is utilized for domestic storage, then the existing connection can be extended to provide electricity to the basement as well.

42. Thus, it is recognized that the use of a basement for “domestic storage” qualifies it for utilizing the “domestic” connection existing in the ground floor, for the purpose of supply of electricity to the



basement as well. It is incomprehensible that it is permissible to extend the existing domestic connection in the ground floor (for the purpose of supplying electricity) to the basement, but the consumer is precluded from taking a fresh/ separate “domestic” electricity connection in respect of the same basement, as may be required. The same is ex-facie arbitrary and unsustainable in law.

xxx xxx xxx”

(Emphasis Supplied)

11. Perusal of the aforesaid judgment clearly shows that this Court has categorically held that domestic connection can be provided in the basement also.

12. Accordingly, the prayer of the petitioner with regard to the domestic connection in the basement, shall be considered by the CGRF, in view of the aforesaid judgment.

13. In a similar circumstance, *vide* order dated 07th March, 2025, in W.P.(C) 2907/2025, titled as “Vikas Bhushan Gupta Versus Govt of NCT of Delhi & Ors.”, this Court had passed the order in the following manner:

“xxx xxx xxx

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

“(a) Pass an order thereby directing the respondent No. 3 to convert the electricity connection of the Petitioner from the category of Non-Domestic to Domestic in this present case;

(b) Direct the Respondent No. 3 to Calculate the electricity charges commencing from March’ 2010 in terms of the unit and charges which comes under the category of Domestic Tariff Category and refund the excessive amount paid by the Petitioner to the Respondent till date;”

4. Issue notice.

5. Learned counsels, as above, accept notice on behalf of the respective Respondents.

6. Learned counsel for Respondent No.3 takes an objection to the maintainability of this writ petition on the ground that the appropriate remedy for the Petitioner to raise the dispute with respect to conversion



of the electricity connection from the category of non-domestic to domestic in respect of premises bearing no. M-88 Lower Ground Floor, Greater Kailash-II, Delhi lies before the Consumer Grievance Redressal Forum ('CGRF'). In support, reliance is placed on a Notification dated 24.06.2024 whereby in exercise of powers conferred by sub-Sections (2)(r) and (2)(s) of Section 181 read with sub-sections (5), (6) and (7) of Section 42 of the Electricity Act, 2003 ('2003 Act') and all other powers enabling in this behalf, the Delhi Electricity Regulatory Commission (DERC) has framed "Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers Regulation, 2024". It is pointed out that definition of the expression 'Grievance' under Regulation 2(7) includes change in billing category and ownership changes. Copy of the Notification is taken on record.

7. Petitioner who appears in person withdraws the writ petition to take recourse to appropriate remedy before CGRF. It is however submitted that till the grievance is placed before the CGRF, Respondent No. 3/BSES RPL be restrained from disconnecting the electricity in the subject premises.

8. Writ petition is disposed of as withdrawn, with liberty as prayed for in accordance with law. It is directed that in case Petitioner approaches the CGRF within three weeks from today, Respondent No.3 shall not disconnect the electricity of subject premises, till the matter is taken up for consideration by the CGRF, whereafter it will be for the CGRF to continue, vacate or modify the interim order.

xxx xxx xxx"

(Emphasis Supplied)

14. Considering the aforesaid submissions, it is directed that the petitioner shall approach the CGRF for redressal of his grievances.
15. It is made clear that this Court has not expressed any opinion on the merits of the case.
16. All the rights and contentions of the parties are left open.
17. Accordingly, the present writ petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

SEPTEMBER 10, 2025/KR