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

% **Date of Decision: 28.08.2025**

+ W.P.(C) 13159/2025 & CM APPL. 53919/2025, CM APPL.  
53920/2025

BSES YAMUNA POWER LIMITED

.....Petitioner

Through: Mr. Moksh Arora and Mr. Santosh  
Ramdurg, Advocates  
Email: [moksh@kdatta.in](mailto:moksh@kdatta.in)

versus

SMT. PARVATI

.....Respondent

Through: None.

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**MINI PUSHKARNA, J: (ORAL)**

1. The present writ petition has been filed seeking to set aside the order dated 29<sup>th</sup> January, 2025 passed by the learned Consumer Grievance Redressal Forum ("CGRF"), for BSES Yamuna Power Limited ("BYPL"), in complaint bearing *no. 548/2024*.
2. Learned counsel appearing for the petitioner submits that the learned CGRF has erred in passing the impugned order without appreciating the fact that the Regulation 62 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023 ("CEA Regulations, 2023") provides that the licensee such as the petitioner must maintain a minimum vertical clearance of 2.5 meter and horizontal clearance of 1.2 meter from any accessible point for any flat roof, open balcony, varandah roof and lean-to-roof.



3. It is submitted that the learned CGRF has exceeded its jurisdiction while passing the impugned order, without appreciating the proper facts.
4. It is submitted that the learned CGRF failed to appreciate that the electricity pole was encroached upon by the respondent and the Aerial Bunched (“AB”) cable of the petitioner was found completely inside the subject premises, which is not only a safety and health hazard, but also a violation of Section 138 of the Electricity Act, 2003, read with Regulations 62 and 63 of the CEA, Regulations, 2023. Thus, it is submitted that no connection can be granted to the respondent as on date.
5. Issue notice to the respondent by all modes, upon filing of process fee.
6. Let reply be filed within a period of four weeks.
7. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.
8. Considering the submissions made before this Court, it is directed that the operation of the order dated 29<sup>th</sup> January, 2025, passed by the learned CGRF, BYPL in complaint bearing no. 548/2024, titled as “*Parvati Versus BSES Yamuna Power Limited*”, shall remain stayed till the next date of hearing.
9. Re-notify on 28<sup>th</sup> November, 2025.

**MINI PUSHKARNA, J**

**AUGUST 28, 2025**

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