

31.05.2025

Fresh suit received by way of assignment. It be checked and registered.

Present: Sh. Vinod Kumar, Ld. counsel for plaintiff with SPA of
plaintiff.

1. At the outset, counsel for plaintiff seeks to withdraw his application u/O XXXIX Rule 1 & 2 CPC filed with the plaint and prays that instead of the said application, an application moved today for interim relief be considered.
2. In view of the above, the application filed with the plaint (dated 29.05.2025) is allowed to be withdrawn.
3. The application moved today u/O XXXIX Rule 1 & 2 CPC is taken on record.
4. Let summons of the present suit with notice of interim application be issued to defendant through all permissible modes on filing of PF returnable for 13.08.2025.
5. At this stage, counsel for plaintiff presses his interim application and submits that defendant is going to disconnect the electricity of the plaintiff on 02.06.2025. It is the case of plaintiff that plaintiff has an electricity connection having CA no. 150359863 and an illegal bill amounting to Rs.33,89,920/- has been issued against the plaintiff by defendant. It is her case that her meter was burnt on 21.11.2024 and thereafter, the electricity supply was restored on 28.11.2024. It is argued that she has been regular in paying all demands made to her

till date (except the said illegal bill raised). It is her case that the said bill is based on report purportedly given by the lab of the defendant which is not notified as per the regulations and thus, plaintiff does not accept the said lab report. It is argued that electricity is an essential commodity and in case defendant disconnects her connection, she shall suffer irreparable damage which cannot be compensated in terms of money. It is argued that she has a *prima facie* case and balance of convenience is also in her favour.

6. Considering the aforesaid submissions, defendant is restrained from disconnecting the connection of the plaintiff till next date of hearing, subject to plaintiff continuing to pay the current demand raised by the defendant for electricity usage. As abundant caution, it is clarified that defendant shall not disconnect the electricity of the plaintiff till next date only because plaintiff has not paid the amount of Rs.33,89,920/- i.e. bill in dispute.
7. Let plaintiff comply with provisions of Order XXXIX Rule 3 CPC.
8. Copy of this order be given *dasti* to plaintiff and be also sent to defendant with summons/notice.
9. List on 27.08.2025.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
31.05.2025