



C A No. Applied For  
Complaint No. 368/2023

In the matter of:

Gautam Chand Kothari .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member(Legal)
4. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Rakesh Kumar, A.R. of the complainant
2. Ms. Ritu Gupta & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 09<sup>th</sup> January, 2024  
Date of Order: 15<sup>th</sup> January, 2024

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. This complaint has been filed by Sh. Gautam Chand Kothari, regarding shifting of electricity pole which is tilted towards his building having address G-18, Gali No. 4, Arjun Nagar, Delhi-110051. It is also his submission that due to this tilted pole, they sometimes feel current in their building, they approached O&M office of licensee but all went in vain. Therefore, he requested the Forum to direct OP for shifting of pole.

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CGRF (BYPL)

  
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2. The respondent in reply briefly stated that the complainant is seeking maintenance of an electricity pole installed outside premises bearing no G-18, G-block, Gali No. 4, Arjun Nagar, Krishna Nagar, Delhi-110051 and complainant claimed that there is leakage of current for the said pole.

OP further added that they visited the site of the complainant on 05.10.2023 and it was found that electricity pole existed outside the premises which were slightly titled from the top and on account of unauthorized construction in the form of extended balcony; tilted pole is touching the same. OP further added that there is no leakage of current found from the pole which is an old pole installed more than 25 years ago. Further pole replacement is not feasible due to site constrains.

It is also submitted that OP have served accessibility notice to the complainant as there is violation of safety measures.

3. Counsel of the complainant filed his rejoinder stating therein that OP has misused his powers and has issued him accessibility notice. He also submitted that his premise is old construction and no new construction has been done by him. The distance between the pole and the building is approx 3 feet. The pole is completed tilted towards his building and same is life threatening.
4. Arguments of both the parties were heard at length.
5. During the course of arguments, OP was directed to file estimate for shifting of pole and also process the estimate for approval of competent authority.



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
6. The matter was listed for hearing in 09.01.2024, when OP stated that they have put up the estimation of pole shifting to the competent authority and are waiting for the approval. The complainant was asked to pay the 50% of the cost of pole shifting which the complainant agreed to do. Both the parties agreed to 50% payment (each party) of the estimation cost for pole shifting.
7. Since the estimation of pole shifting is kept with the competent authority for approval, OP is directed to get the approval at the earliest and start the work of pole shifting. The cost of the meter shifting will be equally paid by both the parties i.e. the complainant and OP.


ORDER

The complaint is allowed. OP is directed to complete the work of pole shifting at the earliest and also file compliance report within 21 days from the date of this order.


The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.  
Proceedings closed.

  
(NISHAT A ALVI)  
MEMBER (CRM)

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

  
(S.R. KHAN)  
MEMBER (TECH.)

  
(P.K. SINGH)  
CHAIRMAN

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