



**C A No. Applied For**  
**Complaint No. 169/2023**

**In the matter of:**

Gurdeep Narang .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Aakash Ruhela, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht & Mr. Vipin Gautam, On behalf of BYPL

**ORDER**

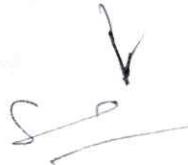
Date of Hearing: 25<sup>th</sup> July, 2023  
Date of Order: 28<sup>th</sup> July, 2023

**Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)**

1. Present complaint has been filed by Mr. Gurdeep Narang, against BYPL-SRD.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Gurdeep Narang, applied for new electric connection vide order no 8006151199 at of premises no. 2881, Mezzanine Floor, Pvt. No. 110, plot no. 117, Gali No. 17, Bedon Pura, Karol Bagh, Delhi-110005.

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3. The OP in their reply briefly stated that the complainant is seeking fresh electricity connection for mezzanine floor of property bearing private no. 110, plot no. 117, Gali no. 17, Beadon Pura, Karol Bagh, Delhi-110005 vide application no. 8006151199. The same application was rejected vide letter dated 07.02.2023 on grounds of need of fire clearance certificate and same site dues in respect of enforcement bill bearing CA No. 400037761. On site visit it was found that the building consists of ground floor plus mezzanine floor plus four floors over it. Hence the height of the building is more than 15 meters without stilt parking. NOC from fire department or BCC is needed. Regarding existing connections these were released against BCC.

OP further added that the complainant has not provided BCC or fire certificate but as old BCC is available which the respondent found in K.No. files of existing connection while providing comments in the present case as such new connection will now be released on basis of old BCC subject to fulfillment of other commercial formalities.

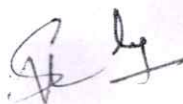


4. LR of the complainant submitted that OP raised objection that one enforcement bill is pending vide CA No. 400037761 does not pertain to the complainant's premises. He also submitted that OP has released many connection at the same address vide CA No. 153770944, 153770946, 153770972, 153803560 and 153810769. Also, BCC is already submitted in the released connections.

5. LR of the OP argued that earlier they have committed that they would release the new connection to the complainant but now they are unable to do so, as the Architect who issued the BCC is now barred by MCD.

6. Going through the pleading and after hearing the parties it is transpired that though OP has pleaded enforcement dues over the premises in question, but has placed no such bill in support of these contentions and

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also not pressed this plea of the dues any more. Rather accepted the plea

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of complainant that there are so many other connections granted by OP to other occupants of these very premises by stating that they were granted on the basis of BCC. It is also submitted by OP that it has got BCC in its record, on the basis whereof they will release the connection. However, later on OP denied on the plea that the Architect who issued the said BCC has since been barred, but with no proof thereof. Even otherwise once a BCC, is entertained, <sup>is</sup> valid and connections energized, based thereon, any future barring of particular Architect, the same cannot be invalidated. Whole other connections are also energized on the basis of BCC and without payment of enforcement dues. In the light of aforesaid finding in our considered opinion OP has no valid grounds to reject the prayer of the complainant.

ORDER


Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and after giving the undertaking regarding the fact that whenever MCD in future will take action against the illegal construction, OP is free to disconnect the new electricity connection.


The OP is also directed to file compliance report to this office within 21 days from the issue 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.


  
(S.R. KHAN)  
MEMBER-TECH


  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(P.K. SINGH)  
CHAIRMAN

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Secretary  
CGRF (BYPL)

  
(P.K. AGRAWAL)  
MEMBER-LEGAL

  
(H.S. SOHAL)  
MEMBER