

C A No. Applied For
Complaint No. 149/2022

In the matter of:

Ilmas MansooriComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mrs. Vinay Singh Member(Law)
2. Mr. Nishat Ahmed Alvi, Member (CRM)

Appearance:

1. Mohd. Afsar, A.R. of the complainant alongwith complainant
2. Mr. Imran Siddiqi, Ms. Shweta Chaudhary & Ms. Maninder Babbar, On behalf of BYPL

ORDER

Date of Hearing: 30th August, 2022
Date of Order: 06th September, 2022

Order Pronounced By:- Mrs. Vinay Singh, Member (Law)

Briefly stated facts of the case are that the complainant applied for new electricity connection but respondent has not released the same till date.

The complainant's grievance is that he applied for new electricity connection at premises no. F-153, A-1-B, Ramesh Park, Laxmi Nagar, Delhi-110092 vide request no. 8005713789 dated 28.05.2022, but respondent rejected his application for new connection on pretext of building booked by MCD and same site energy and enforcement dues pending. Therefore, he requested the Forum to direct the respondent company for immediate release of the new connection.

[Signature]

[Signature]

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Notices were issued to both the parties to appear before the Forum on 16.08.2022.

Respondent submitted their reply stating therein that the complainant applied for new connection vide application no. 8005713789 at F-153/A-1B, GF, Ramesh Park, Laxmi Nagar, Delhi-110092 on 28.05.2022. It was further their submission that on site verification if was found that the enforcement dues are outstanding against the premises sought to be electrified. The said dues were in respect of CA No. 401425154 of Rs. 92322/- accordingly complainant was duly intimated about the deficiency. Respondent further added that regulation 10 & 11 of DERC (Supply Code and Performance Standards) Regulations 2017 pertains to the grant of new electricity connection and in terms of the said regulations it is mandatory for the applicant to first clear the outstanding electricity dues before his/her application for the grant of new electricity connection. Respondent also quoted various Hon'ble High Court judgments where it is cleared that for release of new electricity connection applicant needs to clear all outstanding dues.

The matter was listed for hearing on 16.08.2022 when A.R. of the complainant submitted 11 new electricity bills released by the respondent in the same premises. It also came to the notice of the Forum that a DT raid was conducted on 26.10.21 and a bill was raised in the name of Nawabuudin tenant of Mohd Asim, after that respondent released 11 new connections in the name of Mohd Hashim on 10.12.2021 in the same premises. Forum observed that respondent seemed to be quite negligent at the time of releasing of new connection and now Mohd Ilmas Mansoori applied for new electricity connection, respondent rejected his connection on account of enforcement dues. Respondent was directed to look into the matter.





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The respondent vide their mail dated 29.08.2022 submitted withdrawal letter duly signed by the complainant.


The matter was finally heard on 30.08.2022, when Forum noted that meter of the complainant has been installed by the respondent. Complainant submitted that he has been harassed and wants compensation. Complainant was advised to go to the Civil Court regarding compensation or any other issue as this Forum has no power to decide harassment or compensation issue. The main issue of the complainant regarding release of the new connection has been redressed by the respondent. Arguments were heard and matter was reserved for orders.


We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the main complaint of the complainant was to install new electricity meter which the respondent has installed. During the course of hearings the complainant raised another issue regarding harassment by the respondent by not releasing his new connection.

In view of the above, we are of considered opinion that since the main grievance of the complainant regarding release of new connection has been redressed by the respondent. For harassment related issue this forum has no power to decide harassment or compensation, the complainant is free to move appropriate Court or Forum.

The case is disposed off as above.

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


(NISHAT AHMED ALVI)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)