

C G R F



B Y P L

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN/015/08NKS

CA No. 150391627
Complaint No. 100/2023

In the matter of:

Jannatul MalaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed 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. Vinod Kumar, counsel for the complainant
2. Ms. Ritu Gupta, Ms. Renu Bala, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 11th April, 2023
Date of Order: 02nd May, 2023

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

1. This complaint has been filed by Ms. Jannatul Mala against BYPL-LNR.
2. The brief facts of the case giving rise to this grievance are that Ms. Jannatul Mala, is using electricity through CA No. 150391627 installed at premises no. E-59, GF, Jawahar Park, Laxmi Nagar, Delhi-92. She further added that respondent transferred dues of some other connection to her live connection.

for
Drawn
Attested True Copy

Secretary
CGRF (BYPL)


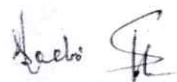
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3. OP in its reply briefly stated that the complainant is seeking withdrawal of dues of Rs. 84,353/- which were transferred from CAN o. 100961786 (disconnected connection) registered in the name of Sh. Ashwani Gaur to CA No. 150391627 (live connection) registered in the name of complainant. The connection in the name of Sh. Ashwani Gaur was disconnected on 05.12.2011 on account of outstanding dues of Rs. 84,353. OP further added that the site of the complainant was visited on 25.11.2022 and it was found that one live connection bearing CA No. 150391627 was now providing electricity to portion where earlier connection in name of Ashwani Gaur was installed.
4. Representative of the complainant submitted that the live connection of complainant inadvertently mentioned as E-59/3, GF, Jawahar Park, Laxmi Nagar, Near Hira Sweets, Delhi-92 in place of correct address as E-59, Jawahar Park, Laxmi Nagar. Registered Sale deed dated 17.09.2020 in respect of property no. E-59, Jawahar Park, is also placed on record. He further submitted that the meter installed at E-59, shop no. 3, in name of Lakshmi Narain and that meter in the name of Ashwani Gaur installed at E-59/3, Block E, Laxmi Nagar have same sequence number in electricity bills whereas meter installed in the name of Jannatulmala have different sequence number.
5. LR of the OP argued that as per Regulation 52 (3) (proviso) the dues are transferred as the complainant indulged in illegal extension inspite of issuance of show cause notice. Site visit report submitted by the OP states that only one meter is installed at site and it is feeding the entire building, and it is the same building where connection in the name of Ashwani Gaur was installed.

for
Attested True Copy

Secretary
CGRF (BYPL)

By   ✓

Complaint No. 100/2023

6. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that Smt. Jannatul Mala purchased the property no. E-59, Jawahar Park, Laxmi Nagar, Delhi in the year 2010 from M/s Bhagirathi Palace Residence Pvt. Ltd through its director Sh. Bharat Bhushan Bhatt. As per the sale deed the complainant became owner of one half undivided share of entire property bearing no. E-59 area measuring 70 sq yards. In the east of the property is 30 feet wide road, west it has property no. 58, north Gali 15 feet wide and in ~~sought~~ remaining portion of property no. E-59.

From the thorough perusal of the sale deed the property chain nowhere mentions the name of Ashwini Gaur. OP has also not produced any documentary proof like K.No. file or documents on the basis of which the connection of Ashwini Gaur was released to substantiate their claim that the connection in the name of Ashwini Gaur was installed in the premise of the complainant.

The sale deed clearly states that the complainant is owner of undivided half portion. Thus, there is possibility that the dues may pertain to the other portion of the property. Here the benefit of doubt is given to the complainant and the dues transferred by OP to the connection of complainant may be withdrawn and the supply of the complainant be restored after her making payment of the pending dues without LPSC of her consumption.

7. Therefore, we are of considered opinion that the dues are not payable by the complainant. OP is directed to revert the transferred dues and restore the supply of the complainant after her making payment of her consumption dues without LPSC.

for 





Complaint No. 100/2023

ORDER


The complaint is allowed. The respondent is directed to revert the transferred dues and restore the supply of the complainant after her making payment of her consumption dues without LPSC.

OP is further directed to 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.

~~(P.K. SINGH)
CHAIRMAN~~


(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM

(H.S. SOHAL)
MEMBER
(ON LEAVE) of 4


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Secretary
CGRF (BYPL)