



C A No. Applied For
Complaint No. 63/2022

In the matter of:

Mohan ChandraComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mrs. Vinay Singh Member(Law)
2. Mrs. Monika Taneja, Member (CRM)

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. Imran Siddiqi & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 20th April, 2022
Date of Order: 25th April, 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 rejected his application for new connection.

The complainant's grievance is that he is residing at D-52, SF, Gali No. 10, West Vinod Nagar, Near Mohalla Clinic, Delhi-110092 and applied for new electricity connection vide request no. 8005446423 but respondent rejected his application for new connection on pretext of premises under MCD objection list and

MC

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Ownership dispute. Therefore, he requested Forum to direct the respondent for release of new electricity connection at the earliest.

Notices were issued to both the parties to appear before the Forum on 20.04.2022.

The respondent in their reply stated that complainant applied for new electricity connection for domestic category vide application no. 8005446423 at D-52, Second Floor, Gali No. 10, West Vinod Nagar, Near Mohalla Clinic, Delhi-92. During the site visit dated 14.02.2022, it was found that applied address of the premises for which the new electricity connection is applied appearing in objection list of EDMC and complainant is required to submit building completion certificate issued from MCD. Respondent further added that ownership dispute is also found at the same site.

Matter was listed for hearing on 20.04.2022, when both the parties were present. RTI of NOC has been filed. Arguments were heard and matter was reserved for orders.

The main issue in the present case is whether the connection can be granted or not.

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 complainant applied for new electricity connection and respondent rejected the application on the pretext of applied premises in EDMC objection list.

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The complainant submitted RTI of NOC from EDMC which states as under:

"As per computerized record, property no. D-52, Gali No. 11, West Vinod Nagar is booked for unauthorized construction on 28.12.2020 in the shape of Fourth Floor, (GF to TF old and occupied). Rest information is a third party information and cannot be provided to the applicant u/s 8 (1) (i) of RTI Act 2005."

In view of the above, we are of considered opinion that the EDMC objection is only for the 4th floor of the said property. Property from Ground floor till third floor is old and occupied. Therefore, the contention of the respondent that the premise is booked under EDMC does not substantiate here.

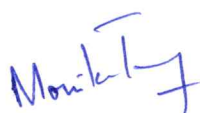
We direct, as under:-

- The respondent is directed to release the connection to the complainant after completion of all the commercial formalities by the complainant as per DERC Regulations 2017.
- Respondent should release the connection within 15 days from the date of this order.
- The respondent is further directed to file compliance report to the Forum.

The case is disposed off as above.

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

Proceedings closed.



(MONIKA TANEJA)
MEMBER (CRM)



(VINAY SINGH)
MEMBER (LAW)