



**C A No. Applied For**  
**Complaint No. 29/2023**

**In the matter of:**

Munni Devi .....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. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Ms. Amita Sharma, Ms. Shweta Chaudhary, Mr. Shubham Singh & Ms. Divya Sharma, On behalf of BYPL

**ORDER**

Date of Hearing: 28<sup>th</sup> March, 2023  
Date of Order: 03<sup>rd</sup> April, 2023

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

1. Present complaint has been filed by Smt. Munni Devi, against BYPL-GTR.
2. The brief facts of the case giving rise to this grievance are that complainant Smt. Munni Devi, applied for new electricity connection vide request no. 8005982783 at premises no. 458-466, Basement, G. no. 8,

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Secretary  
CGRF (BYPL)

 1 of 3

Complaint No. 29/2023

Friends Colony, Industrial Area, Delhi-110095 but respondent rejected the application for new connection on pretext of premises booked by MCD. Therefore, he requested the Forum to direct the respondent for release of new connection.

3. The OP in their reply briefly stated that the complainant is seeking fresh electricity connection for basement of property bearing no. 458-466, basement, Gali No. 8, Friends colony, Industrial Area, Delhi-110095 vide request no. 8005982783 which was rejected on account of MCD objection list. MCD has circulated two lists one was received on 12.07.2017 and second was received on 18.06.2018. In both the lists the subject property is mentioned at various serial no. However, the basement in the first list is mentioned at serial no. 66 whereas in the second list basement is mentioned at serial no. 21, 41 and 42. It is also submitted that there are approximately 100 buildings with same address.
4. The counsel of the complainant argued that respondent has released many connections in the said property and this property is huge property with around 100 buildings with same address, therefore it's not his premise which is booked by MCD. He further added that his premises do not fall under the objection list of MCD.
5. LR of the OP submitted since the building is booked by MCD therefore, new connection is not feasible and as per DERC Regulations complainant has to fulfill all the commercial formalities as required for new connection. OP further added that they cannot release the new connection to the complainant until he submits BCC from MCD.

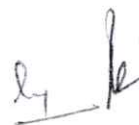
Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off.

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CGRF (BYPL)









2 of 3

Complaint No. 29/2023

From above discussions it is clear that there are around 100 buildings with the same address, therefore, it is difficult to ascertain as to which part is booked by MCD. Moreover, respondent has released many connections at the same address, thus the connection to the complainant can be released.

6. We are of the view that the respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant should file an affidavit that if MCD takes any action against the encroached property then OP should be at liberty to disconnect the supply 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.

  
(P K SINGH)  
CHAIRMAN

  
(S.R. KHAN)  
MEMBER-TECH

  
(P.K.AGRAWAL)  
MEMBER-LEGAL

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(H.S. SOHAL)  
MEMBER

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