

C A No. Applied For
Complaint No. 148/2023

In the matter of:

NehaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

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)

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 18th May, 2023

Date of Order: 29th May, 2023

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The brief facts of the case giving rise to this grievance are that complainant Ms. Neha, applied for load reduction vide request no. 8005874766 at premises B-20/4, West Jyoti Nagar Behind Church, Delhi-110093, but respondent has not taken any action on her application for load reduction till date.

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2. OP in its reply briefly submitted that the complainant applied for reduction in sanctioned load of commercial electricity connection bearing CA no. 150003065 registered in name of Ms. Padmini, The connection was sanctioned for 11 KVA for commercial purpose. The building in issue is residential building with ground plus three floors over it with one dwelling unit on each floor the details of domestic connection existing on each floor are

- a) Usha Jain CA No. 101606999, GF
- b) Kavita Garg CA No. 150792155, FF
- c) Sareeta Devi CA No. 101638763, SF
- d) Neha Garg CA No. 150432483 TF

OP further added that no floor is mentioned on the bill of the connection, against which load reduction is sought by the complainant, the said connection is being used for lift and the complainant has no locus to get the load of said connection reduced as the same is not registered in her name. AS the said connection will be used for the lift as such it is necessary that MCD license be submitted by the complainant after getting he said connection transferred in her name. After submission of MCD license the connection will be changed from commercial to domestic and load will be reduced from 11 KVA to 6 KVA as required under the law for the purpose of operating the lift. Complainant has to clear the outstanding dues of Rs. 47,790/- against the said connection.

3. Counsel of the complainant rebutted the contentions of respondent as averred in their reply and submitted that he applied for load reduction vide order no. 8005874766 on 01.09.2022. Thereafter, he applied for name change of CA No. 150003065 vide order no. AONNG2403230442 but till date respondent has not taken any action for name change against his request.

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4. LR of the OP submitted that the complainant does not fulfill the definition of complainant as she wants to get the load reduction of the connection which is registered in the name of Padmini. The said connection is used for lift purpose, therefore the complainant also has to submit MCD license for running lift, then only OP will reduce the load and change the category.
5. From the narration of facts and material placed before us. The pleadings made by both the parties, we are of considered opinion as admitted by respondent that said connection is being used for lift purpose, the complainant has to submit MCD license for operating lift, then only OP can reduce the load and category of the said commercial connection having CA No. 150003065. Since the connection is in the name of Ms. Padmini and sale deed submitted on record shows Ms. Padmini as earlier owner of the said premises, therefore, the complainant has to get the name change done and submit MCD license for reduction of load.


ORDER


Complaint is rejected. For reduction of load the complainant has to get the name change done and thereafter submit MCD license for running lift and apply for load reduction. OP is also directed that whenever the complainant will file MCD license they would change the category of the complainant within stipulated time as prescribed in DERC Regulations.

Case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN