



**CA No. Applied For**  
**Complaint No. 337/2023**

**In the matter of:**

Nisha Bimbra .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

1. Mr. Nishat A Alvi, Member (CRM)
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)
4. Mr. H.S. Sohal, Member

**Appearance:**

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Shweta Chaudhary, On behalf of BYPL

**ORDER**


Date of Hearing: 05<sup>th</sup> October, 2023  
Date of Order: 10<sup>th</sup> October, 2023

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection vide request no. 8006455633 at premise no. 1/429/8B, Gali No. 1, Friends Colony, Industrial Area, Delhi-110095 but respondent rejected the application of the complainant for new connection on the pretext of required all pages of DPCC and receipt of BCC, but despite submission of all the required documents OP is not releasing the connection.

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Secretary  
CGRF (BYPL)





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2. OP in its reply submitted that complainant is seeking fresh electricity connection vide application no. 8006455633 for ground floor of property bearing no. 1/429/8B, khasra no. 1185/20/2, Gali No. 1, Friends Colony, Industrial Area, Delhi-110095. The application was rejected as the applied premises were found in MCD objection list bearing no. EE(B)-I&II/Shah (S)/2020-2021/D-1436 and for want of DPCC from the Delhi Pollution Control department.

OP further added that the complainant was asked to submit a Building completion Certificate or an NOC. The required documents were submitted by the complainant along with a BCC bearing file no. 10116602 dated 23.07.2023. For verification of the said BCC an email was sent by OP to MCD office on 21.08.2023 but to date, there has been no response from the MCD.

3. During the arguments, complainant submitted that he has fulfilled all the objections raised by OP still OP has not released the new connection till date. OP has e-mailed to MCD for verification of BCC on 21.08.2023 but till date they have not received any communication from MCD.

4. In view of the above, we are of considered opinion, that the objections of OP for release of new connection have been duly fulfilled by the complainant. Also, 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. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.



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ORDER


Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities as per DERC Regulations 2017 and also submission of undertaking by the complainant that if in near future MCD takes any action on the subjected property, OP is free to disconnect the electricity supply.

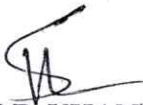
The OP is also directed to file compliance report to this office within 21 days from the issue of this order.


The case is disposed off as above.

Both the parties should be informed accordingly. Proceedings closed.

ON LEAVE  
(H.S. SOHAL)  
MEMBER

  
(NISHAT A. ALVI)  
MEMBER (CRM)

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

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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