

CA No. Applied For
Complaint No. 249/2023

In the matter of:

Pradeep JainComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Aakash Ruhela, Counsel of the Complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Sachin Dubey & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 21st September, 2023

Date of Order: 25th September, 2023

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

1. This complaint has been filed by Mr. Pradeep Jain against BYPL-SRD.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Pradeep Jain applied for new electricity connection vide request no. 8006225795.

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He applied for new connection at premises no. 17A/41, pvt no. 304, 3rd floor, West extension area, Karol Bagh, Delhi-110005, but respondent rejected his application for new connection on pretext of building height and connection already exists.

3. OP in its reply briefly stated that the complainant is asking for new connection for third floor of premises bearing no. 17A/41, private no. 304, West Extension Area, Karol Bagh, Delhi-110005 vide application no. 8006225795. The application stands rejected as third floor which has three units is already electrified through three electricity connections having CA 150498824, 151122588 and 151916856. The third floor is effective fourth floor as the building consists of basement, ground and four floors over it. Also, at roof two rooms exist having size of 25 sq yards approx. thus building height is more than 15 meters and as such NOC from fire department or BCC in lieu thereof is needed. OP further submitted that as per DERC Supply Code 2017 only one connection is permissible for each unit. Accordingly, fresh electricity connection can be granted to the complainant as on third floor there are three units and all three units are already electrified.
4. Counsel of complainant submitted that he is owner of property bearing no. 41 measuring about 20-2/3 yards and applied for new electricity connection on third floor of the property. He became owner of the said property vide sale deed dated 28.02.1990 and already a meter was installed in the said property vide CA No. 100050416 in the name of Sh. B.N. Mathur against which the complainant applied for name change and same was done and new CA No. is 153418357. He also submitted that respondent had already released the connections at third floor and the third floor meter is being used at fourth floor.



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5. LR of the OP submitted site visit report dated 30.08.2023 stating therein that at the time of visit no supply in applied portion. Meter no. 19008071 and 70208401 meter used at fourth floor. OP also submitted that there are ten meters installed in the applied building and two meters installed at third floor are being used at fourth floor.
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 the complainant applied for new electricity connection which the respondent rejected on the basis of connection already exists. Since the site visit report of OP clears that the connections released for third floor are being used at fourth floor and there is no electricity on the applied floor,
7. Therefore, we are of considered opinion that OP should serve notice to the user of electricity on fourth floor and release the new connection to the complainant.

ORDER


Complaint is allowed. Respondent is directed to release the new connection to the complainant after disconnection/correction of electricity supply at the fourth floor and fulfillment of all the other commercial formalities as per DERC Guidelines 2017.


OP is also 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.


(H.S. SOHAL)
MEMBER


(NISHAT A ALVI)
MEMBER (CRM)


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


(P.K. SINGH)
CHAIRMAN