



C A No. Applied For
Complaint No. 62/2022

In the matter of:

Shobha Rani

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. S.B. Pandey, 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 her application for new connection.

The complainant's grievance is that she is tenant at H.No. D-498, 2nd Floor, Gali No. 12, Kh.No. 434 to 436, Bhajanpura, Near Sanatan Dharam Mandir, Delhi-110053. It is also her submission that she applied for new connection vide request no. 8005128111 but the respondent rejected her application on pretext of incomplete documents.

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Therefore, she requested the Forum to direct the respondent for immediate release of her new connection.

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

The respondent in their reply stated that the complainant applied for new electricity connection vide request no. 8005128111 at H.No. D-498, 2nd floor, Gali No. 12, Khasra No. 434 to 436, Bhajanpura, Near Sanatan Dharam Mandir, Delhi-110053. It is also their submission that after perusal of the documents provided by the complainant he was asked to provide NOC of the land lord; however, he failed to submit the same hence, the application for grant of new electricity connection was rejected.

The matter was listed for hearing on 20.04.2022, when forum noted that the complainant filed case for new connection as tenant without NOC from landlord. A Civil Suit is pending before Karkardooma Court since 2020 between the same parties regarding dispute of tenancy. So, this Forum has no jurisdiction to entertain the present issue. Arguments were heard and matter was reserved for orders.

We are of considered view that as per Regulation 13 (1) of CGRF Regulations 2018 which is narrated below:

13. Limitation of Jurisdiction of the Forum

(1) The Forum shall not entertain a grievance if it pertains to the same subject matter for which any proceedings before any court, authority or any other Forum is pending or a decree, award or a final order has already been passed by any competent court, authority or forum.

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As above, we opined that this Forum has no jurisdiction to entertain the present complaint as it is sub-judice in the Civil Court.

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)