



C A No. Applied For
Complaint No. 40/2021

In the matter of:

VidyaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. Ramphal, Husband of the complainant
2. Mr. Imran Siddiqi & Mr. Prateek Pahwa, On behalf of BYPL

ORDER

Date of Hearing: 11th June, 2021
Date of Order: 23rd June, 2021

Order Pronounced by:- Dr. Harshali Kaur, Member (CRM)

Briefly stated facts of the case are that the complainant applied for new connection but the respondent rejected her application for new connection.

It is also her submission that on 10.02.2020 she applied for new connection vide application no. 8004357973 in her name at H.No. 136, GF, Jatav Mohalla, Kh.No. 108, Village Chilla Mayur Vihar, Phase-I, Delhi, but the respondent company rejected her application for new connection on the pretext of ownership and

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Harshali Kaur
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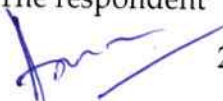

billing address mismatch and also pending enforcement dues at the same premises. Thereafter she again applied for new connection vide application number 8004535423 on 10.09.2020, which was again rejected by the respondent on the pretext of new objections that already two meter exists at site, premises consists only ground floor, same side enforcement dues and applied & existing address both are different. Therefore, she requested the Forum to direct the respondent company for immediate release of the new connection.

Notice was issued to both the parties to appear before the Forum on 25.03.2021.

The respondent company submitted their reply stating therein that the complainant applied for new electricity connection at premises no. 136, GF, Jatav Mohalla, Village Chilla, Mayur Vihar Phase-I, Delhi. It was further added that applications of new connections were rejected due to address mismatch of the premises for which the new electricity connections applied and already two meters exists at ground floor of the premises. It was also their submission that the applied portion has common entry with other portions of the premises and no separate dwelling unit found at site.

Respondent further quoted that outstanding dues were also found at site. The said dues i.e. pertaining to theft of electricity were in respect of CA No. 400055515 and energy dues in respect of CA No. 101103332. Regulation 10 & 11 of DERC (Supply Code and Performance Standards) Regulations, 2017 pertains to the grant of new electricity connection and in terms of the said Regulations it is mandatory for the applicant to first clear the outstanding electricity dues before his/her application for the grant of new electricity connection be accepted and or approved as per DERC Regulations.

The matter was listed for hearing on 25.03.2021, when respondent filed their reply and complainant was asked to file rejoinder, if any. The respondent


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Averred that there is a mismatch between the two addresses of Mr. Sanjay and Ms. Vidya and dues amounting to Rs. 17860/- is pending against the live connection of Mr. Sanjay. Respondent refused to release the connection to the complainant on account of pending dues and no separate entry. Respondent was directed to file K.No. file. Secretary of the Forum was directed to conduct a site visit alongwith respondent and complainant on 01.04.2021 and to file its report.

The site visit was done on 01.04.2021 in the presence of Secretary of the Forum and the findings of the site visit report is as under:-



Separate dwelling unit found. Main entry is common and there is sub-divided portion in which the connection is applied. There is kitchen, bathroom, a living room in this portion. Enforcement dues at the premises will be required to be paid by the complainant on pro-rata basis.

The matter was heard on 12.04.2021 when both the parties were advised to explore possibility of amicable solution.

The matter was finally heard on 11.06.2021, when the respondent company submitted that the complainant has deposited the demand note on 09.06.2021. Respondent was directed to release the new connection at the earliest. Complainant submitted that he is willing to file satisfaction letter. Matter was reserved for orders.

The matter was last heard on 11.06.2021 but the complainant has not filed any satisfaction letter. The Forum is of the view that since the complainant has not approached the Forum after release of the demand note, it seems she is satisfied with the action taken by the respondent.







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Under the circumstances, this Forum finds it prudent to treat this complaint as resolved and directs the office to consign the file to record room after sending a copy of this order to both the parties. No order as to the cost.

The order is issued under the seal of CGRF.


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LEGAL)


(ARUN P SINGH)
CHAIRMAN