

C A No. Applied For
Complaint No. 187/2024

In the matter of:

Afzal Ahmed Saifi

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R Khan, Member (Tech.)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Imran Ul haq Siddiqui, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Akshat Aggarwal & Ms. Chhavi Rani, on behalf of respondent

ORDER

Date of Hearing: 22nd August, 2024

Date of Order: 28th August, 2024

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The complaint has been filed by Mr. Afzal Ahmed against BYPL-Laxmi Nagar. The brief facts of the case giving rise to this grievance are that Mr. Afzal Ahmed applied for new electricity connection vide request no. 8006831142 at premises no. 11/430, UG/F, Gali No-11A, Lalita Park, Laxmi Nagar Delhi-110092, but respondent rejected the application of the complainant for new connection on pretext of dues at site of CA No. 400823483, 100975844, meter

already exist and mismatch between applied and existing meter address.

2. OP in its reply briefly stated that the complainant is seeking a new connection for the upper ground floor of property which is claimed to be numbered as 11/430, UG/F, Gali No-11A, Lalita Park, Laxmi Nagar Delhi-110092. It is submitted that the complainant vide request no. 8006831142 applied for a DX connection of 1 KW. However, the complainant had removed the deficiency as raised therein by removing the existing installed meter. Thereafter, a new request bearing no. 8006935425 was received for seeking new connection for the UGF. At the time of site visit, the building structure was found as ground floor plus five floors over it having building sequence as GF, UGF, and first to fourth floor. Two dwelling units exist on each floor above the ground floor. It was also observed that building having nos. 11-429 and 11/430 are joint building and in the subject premises the existing meters have billing address of both the buildings. At present seven electricity connection are installed at the site.

The application of the complainant was rejected as the address of the complainant is found in MCD objection list vide MCD letter no. EE(B)-I&II/Shah(S)/2020-21/D-1436 dated 13.11.2020.

3. In response to the reply the complainant filed rejoinder stating therein that a connection bearing no. 151184627 was installed in his premise no. 11/430, Gali No. 11-A, Lalita Park, Laxmi Nagar, Delhi in the name of one O.P. Gupta. He approached OP for name change but OP asked him to surrender the said connection and apply for a fresh electricity connection and now OP is raising objection of MCD booking, which is false ground as his premises is 11/430 and booked premise is 11/429.

4. Heard both the parties and perused the record.
5. From the narration of facts and material placed before us we find that the MCD objection list placed on record by OP is not a proper list, it is only on excel sheet. Also the MCD booking is of property no. 11/429 of the year 2018 with no booking details whereas the complainant purchased the property no. UGF of 11/430 in the year 2016. Also, OP has not placed on record any proof in support of their contention that both the properties 11/429 and 11/430 are joint properties. Thus, this objection of OP is not sustained.
6. In the facts and circumstances aforesaid, we are of the view that the OP has failed to submit any conclusive and authentic proof that the said premises is booked by MCD. Therefore, respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant should file an affidavit that if in future MCD takes any action against the his property then OP should be at liberty to disconnect the supply of the complaint.

ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and after giving the undertaking that whenever MCD in future takes any action, OP is free to disconnect this electricity connection.

OP is further 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

Attached True Copy

Secretary
CGRF (BYPL)


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN
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