

C A No. Applied for
Complaint No. 451/2024

In the matter of:

AkashComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. R. S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 06th March, 2025




Date of Order: 10th March, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection vide request no. 8007069433 at premises no. H.No. 40-B/1, GF, Gali No. 13, C-2 block, Harsh Vihar, Delhi-110093 which was rejected by OP on grounds of new plotting area, no supporting pole, un-electrified area, ESS space required.

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CGRF (BYPL)

  
1 of 4

Complaint No. 451/2024

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking single new DX connection at premises no. 40-B/1, GF, Gali no. 13, C-2 block, Harsh Vihar, Delhi-110093. The subject property is in portion of C-2 block which is un-electrified and hence application for new connection was rejected due to new plotting area, no supporting pole and as ESS space was required. Reply further added that the present complaint whereby new connection is sought is in respect of area which is yet to be fully electrified. From the chain of ownership documents as filed by the complainant the original plot of land consisting of 3 bighas and 13 biswa was an agricultural land owned by Sh. Tej Pratap Singh. The said Sh. Tej Pratap Singh sold the said land vide sale deed dated 20.04.2012 in favour of two brother's namely Sh. Pradeep Garg (area 2 bighas 8 biswa) and Sh. Sandeep Garg (area 1 bighas 5 bishwa). C-2 block is partly electrified. The central stack of C-2 block is un-electrified whereas stacks on left and right side are electrified by way of HVDS system and electricity network exists in the shape of poles whereon 25 KVA transformers are installed which convert HT current into LT current and supply the electricity to nearby premises. No such network exists in the central stack of C-2 block wherein the applied premises exist.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the complainant is not the developer as she is the owner of 50 sq yards of land and has every right title or interest upon the same. It is further submitted that the Hon'ble Forum has passed orders in C.G. No. 402/2023, C.G. No. 403/2023, C.G. no. 425/2023 thereby directing the respondent to release the connections to the consumers in Gali no. 14, 15 and respondent has complied the orders of the Forum.

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Complaint No. 451/2024

4. Heard arguments of both the parties at length.
5. We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the complainant applied for new electricity connection vide request no. 8007041501 which was rejected by OP on the grounds of ESS space required, new plotting area, no supporting pole. OP itself has admitted that the area is electrified through HVDS system; it is not totally un-electrified area. Only the central sack is without electricity. This Forum vide their earlier orders dated 24.04.2024 in the matter of Rakesh Kumar C.G. No. 425/2023, Saurabh Singhal C.G. No. 403/2023 and C.G. No. 402/2023 pertaining the same area C-2 block, Harsh Vihar, where Forum has ordered OP to release the new electricity connections to the complainants. OP was also directed to explore the possibility of either installation of ESS in the area or installation of more poles with HVDS system.
6. Since, this Forum has already ordered for release of the connections in the C-2, block area therefore, we feel that not granting new connections to the other residents of the same area is unjustified and unfair thus OP should release the new connection to the complainant as applied for by her.

ORDER

The complaint is allowed. OP is directed to release the new electricity to the complainant as applied for by the complainant vide application no. 8007069433 at premises no. 40-B/1, GF, Gali no. 13, C-2, block, Harsh Vihar, Delhi-110093 after completion of other commercial formalities as per DERC Regulations 2017.

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CGRI (BYPL)

3 of 4

Complaint No. 451/2024

This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

The parties are hereby informed that instant order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.

on leave
(H.S.SOHAL)
MEMBER

ly
(P.K. AGRAWAL)
MEMBER (LEGAL)

19/3/25
(S.R. KHAN)
MEMBER (TECH.)

11
(P.K. SINGH)
CHAIRMAN

4 of 4

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Secretary
CGRF (BYPL)