



# Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act. 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma,

Shahdara, Delhi-110032

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SECY-CHN 015/08NKS

## C A No. Applied For Complaint No. 422/2024

### In the matter of:

Amit Girdhar & others

.....Complainant

### VERSUS

BSES Yamuna Power Limited

.....Respondent

### Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed Alvi, Member (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R Khan, Member (Tech.)

### Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. Lalit & Mr. Akshat Aggarwal, on behalf of respondent.

### ORDER

Date of Hearing: 14<sup>th</sup> November, 2024

Date of Order: 04<sup>th</sup> December, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant's applied for new connections vide request no. 8007072262, 8007072301, 8007072342 and 8007072334 at premises no. 192-193, F/F, S/F, Upper Ground Floor, Janta Flat, Jhilmil, Delhi-110092 but respondent rejected the application of the complainant on pretext of building booked by MCD.

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2. OP in its reply briefly stated that the complainant is seeking Multiple new electricity connections at premises bearing no. 192-193, F/F, S/F, Upper Ground Floor, Janta Flat, Jhilmil, Delhi-110092 vide requests no. 8007072262, 8007072301, 8007072342 and 8007072334. Details of the applications is mentioned below:

S.No.	Application no.	Address of the premises
1.	8007072262	192-193 First Floor Janta Flat, Jhilmil Delhi-110095
2.	8007072342	192-193 Second Floor, Janta Flat, Jhilmil Delhi-110095
3.	8007072334	192-193 Lift, Janta Flat, Jhilmil Delhi-110095
4.	8007072301	192-193 Upper Ground Floor Janta Flat, Jhilmil Delhi-110095

At the time of inspection of the said premises, it was discovered that there are several deficiencies which are in direct violation of the DERC Regulations 2017. Respondent further submits that upon site inspection, it was discovered that the applied premises stands booked by MCD on account of unauthorized construction. It is further added that at present there exist one temporary meter having CA No.351034810 which was energized on 05.11.2020. Reply also submits that in view of the aforesaid objection, firstly the applied premises being booked by MCD on account of unauthorized construction and secondly the connection being sought for lift but does not have any valid, legal and supportive documents and requisite permissions from the competent authorities, the connections cannot be released.

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Secretary  
CGRF (BYPL)

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3. In response to the reply the complainant filed rejoinder. The complainant has applied electricity connection at property bearing no. 192-193, F/F, S/F, Upper Ground Floor, Janta Flat, Jhilmil, Delhi-110092. Respondent has wrongly pleaded in its reply which has no base of any iota of truth in order to adjudicate the present case.

During the course of arguments, the complainant submitted BCC from MCD, lift fitness certificate and sanctioned building plan, to the effect of pray for release of new electricity connection. OP vide their mail dated 13.11.2024 submitted that Occupancy certificate was sent to MCD for the confirmation of authenticity, but still they have not received any confirmation from MCD.

4. From the narration of facts and material placed before us, we find that the applications of the complainant for new electricity connections were rejected by OP on the ground of building booked by MCD under section 343 and 344 of DMC Act vide order no. EE(B)-Sh(S)/2021/D-705 dated 08.03.2021, in the shape of unauthorized construction at GF, FF, SF, TF in the shape of hall room with projection. Against the MCD booking dated 08.03.2021 the complainant submitted Occupancy cum completion certificate issued by MCD dated 13.09.2024.

The Op has raised the objection that this property has been booked by MCD in 2021 as intimated by MCD vide letter dated 08.03.2021. This address matches with the address of supply provided by the complainant. Hence, it is an admitted position that there was unauthorized construction at the address of supply. The BCC dated 13.09.2024 filed by the complainant does not show whether the unauthorized construction was demolished or there was compounding of the default by the MCD.

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Furthermore, it is a well know fact that DDA allots the flats on lease hold basis and the allottee has to get it converted into freehold before selling it. The complainant has not submitted any document showing his title to the property or his lawful possession. Complainant has also not submitted NOC of DDA in this regard.

In view of the above, this Forum is not inclined to grant ~~any~~ relief as requested by the complainant in his complaint dated 01.07.2024.

ORDER

Complaint is rejected. Respondent has rightly rejected the application of new connection of the complainant.

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

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.

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

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

  
(P.K. SINGH)  
CHAIRMAN