



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
Phone: 32978140 Fax: 22384886
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SECY/CHN/0150BNKS

C A No. Applied For
Complaint No. 436/2023

In the matter of:

Asha AroraComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

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.)
5. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Subhash Arora, Counsel of the complainant
2. Ms. Ritu Gupta, Mr.R.S Bisht, Ms. Monika Kaushik, Mr. Ashu Kumar, Akshat Aggarwal & Ms. Chhavi Rani, on behalf of respondent

ORDER

Date of Hearing: 08th August, 2024
Date of Order: 19th August, 2024

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

1. The complaint has been filed by Ms. Asha Arora against BYPL-KRN. The brief facts of the case giving rise to this grievance are that Ms. Asha Arora applied for Dues Transfer for CA No. 152014921 installed at premises no. 29-A, G/F, Rani Garden, Shastri Nagar New Amedkar Park, Delhi-110031, complainant stated that dues of some other

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unknown person were transferred to complainant's CA No. 152014921. Therefore, she requested forum to direct the respondent to waive off dues transfer on the above CA.

2. OP in its reply briefly stated that the complainant is seeking withdrawal of dues of Rs. 78,980/- outstanding against CA No. 152014921 registered in the name of complainant installed at property bearing no 29-A, Ground Floor, Rani Garden, Shastri Nagar, Near Ambedkar Park, Delhi-110031. The premises involved are B-29 & 29-A, Rani Garden, Shastri Nagar, Near Amebedkar park, Delhi-110031.

a) On 20.12.2019 dues of Rs. 5,28,062.66/- were transferred from CA No. 100748117 registered in the name of Monika MFg Co, to CA no. 150007188 registered in the name of Madhu Bala.

b) In year 14.08.2023 the dues of CA No. 150007188 (Madhu Bala) (disconnected connection) were transferred proportionately to ten live electricity connections existing in properties bearing nos. B-29 and A-29, the details of said ten electricity connection are as under:-

S.No.	CA No.	Registered consumer	Address	Tariff	Date of energization
1.	151366121	Rani Chhabra	29-A, G/F	Non Domestic	14.05.16
2.	152014921	Asha ARora	29-A, G/F	Domestic	21.11.16
3.	151581797	Bhawana Jain	29-A, F/F	Domestic	09.09.15
4.	151980975	Dharam Wati	29-A, F/F	Domestic	13.09.16
5.	152177950	Baljit Singh	29-A, S/F	Non Domestic	19.05.17
6.	152783305	Kanta Rani	B-29	Domestic	15.03.19
7.	153221175	Vishesh Yadav	B-29, F/F	Domestic	12.01.21
8.	153221177	Manisha Yadav	B-29, S/F	Domestic	12.01.21
9.	153218774	Gyanti Devi	B-29, TH/F	Domestic	13.01.21
10.	153936019	Mandeep Singh	B-29, 4 th F	Domestic	29.09.22

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- c) The disconnected connection in the name of Madhu Bala was disconnected on 28/08/2020 on account of outstanding dues of Rs. 6,83,133.93/-.
 - d) Accordingly, the registered consumers of the live connections were again served with show cause notice all dated 25.07.2023 through speed post having different bar codes whereby the registered consumers were asked to show cause as to why dues disconnected connection registered in the name of Madhu Bala be not transferred to the live connection as they indulged in illegal extension by providing electricity to the portion of the premises electricity whereof was disconnected on account of non-payment of dues.
 - e) After the transfer of dues consumers at serial nos. 1, 5, 7, 8 and 9 have duly deposited their share of transferred dues.
3. In response to the reply the complainant filed rejoinder. The complainant is the owner and resident of the ground floor of the property no 29 A Shastri Nagar, Near Ambedkar Park, Delhi-110031. Having electricity connection vide C.A. no. 152014921. The alleged defaulter connection in the name of Madhu Bala was installed in the neighboring plot vide no B-29 Shartri Nagar, Near Ambedkar Park-110031. It is pertinent to mention here that B-29 & 29-A are two different plots/properties whereas both the plots are having ten different premises/dwelling units as per the record of the respondent. Rejoinder further submitted that the respondent never shared any information during the year 2019 with the complainant in regards to the transfer of the dues of Rs. 5,28,062/- of Monika CA no. 100748117 to another CA no. 15007189 in name of Madhu bala. Complainant did not receive the show because notice dated 25/07/2023




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whereas the respondent has not attached any tracking report/delivery report for the said notice bearing different bar codes of the postal department. It is pertinent to mention here that complainant was not the party to the mentioned case before the learned PLA and the learned PLA in its order attached with the W.S of the respondent has not passed any directions to charge the complainant for the dues of the defaulting CA no 150007188 of Madhu Bala. It is submitted that the complainant lives in 29-A G/F Rani Garden Shartri Nagar, Near Ambedkar Park, Delhi -110031 whereas the outstanding dues pertains to the defaulted connection installed in next building i.e. B 29.

4. Heard both the parties and perused the record.
5. From the narration of facts and material placed before us, we find that OP transferred the dues of disconnected connection having CA No. 150007188 in the Madhu Bala proportionately to ten live electricity connections existing in properties bearing no. B-29 and A-29. At the time of filing this complaint in the Forum five out of ten persons made the payment of the transferred dues.

It is pertinent to mention here that the complainant alongwith two other neighbours namely Bhawana Jain and Mandeep Singh approached this forum for waiver of transferred dues. Mr. Mandeep Singh, R/o B-29, 4th floor, in the month of April 2024, agreed to make the payment of the transferred dues without LPSC. Thereafter in the month of July 2024 Bhawana Jain, R/o 29-A, FF, also agreed to make the payment of the transferred dues without LPSC.

Also, OP states that apart from the complainant i.e. Asha Arora, all other nine occupants have made the payment of the transferred dues.

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6. In view of the above, the contention of the complainant that the dues do not pertain to his portion is nullified as the complainant is residing at ground floor of property no. 29-A and whereas Bhawana Jain is residing at first floor of same property no. 29-A. Therefore, the complainant is also liable to pay the transferred dues.


Despite giving ample opportunities, the complainant failed to prove his stand that the dues are not payable by him.

ORDER

The complaint is rejected, with the direction to the complainant to pay the transferred dues. OP is also directed to waive off entire LPSC amount from the transferred dues and also allow the complainant to pay the balance amount in two equal monthly instalments alongwith current electricity charges.

The case is disposed off as above.


No order as to the cost. Both the parties should be informed accordingly.


(S.R. KHAN)
MEMBER -TECH


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER -LEGAL

(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER