

C A No. Applied for  
Complaint No. 507/2024

In the matter of:

Ashish Jain

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Renubala, Ms. Chhavi Rani  
& Mr. Akshat Aggarwal on behalf of respondent

ORDER

Date of Hearing: 30<sup>th</sup> January, 2025

Date of Order: 03<sup>rd</sup> February, 2025

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. This complaint has been filed by Mr. Ashish Jain, against BYPL-Laxmi Nagar.
2. The brief facts of the case giving rise to this grievance are that the complainant was using electricity through connection having C A no. 151761022 installed at premises no. D-90, GF, Gali no. 4, D-block, Laxmi Nagar, Delhi-110092.

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CGRF (BYPL)

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It is also his case that the electricity connection was disconnected on 28.02.2024 on account of non-payment of dues amounting to Rs. 10014/- as the complainant was facing some financial issues. Thereafter, the complainant makes the full and final payment on 22.08.2024 for re-connection of electricity but same has not been done by OP till date.

3. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking restoration of energy supply against CA no. 151761022 which was disconnected on account of non-payment of dues. Reply further stated that the supply of CA no. 151761022 was disconnected due to non-payment of energy dues; same is also admitted by the complainant. Reply also states that the supply was got disconnected way back on 28.02.2024 but the complaint was filed on 05.09.2024 that in all senses the time period of six months for seeking reconnection stands expired well before the present petition.
4. The complainant in its rejoinder submitted that the electricity connection having CA no. 151761022 was disconnected by OP on non-payment of dues on 28.02.2024 without issuing any disconnection notice. The complainant due to financial crisis could not make the payment of pending dues. The complainant on 22.08.2024 cleared the pending dues and officials of OP assured that the supply of complainant would be restored within two days. But even after five days of pending dues clearance, the complainant again approached the OP, and then officials of OP informed the complainant that the connection cannot be restored as it has become dormant.

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The complainant further alleged that he had made the payment well within stipulated time period of six months, its OP's fault who have not restored the electricity within the stipulated time. Left with no solution the complainant sends a mail to the officials of OP on 28.08.2024 for restoration of electricity supply.

5. Heard both the parties and perused the record.
6. The relevant Regulation applicable in the present case is as under:

**54. Reconnection:-**

(1) In cases of a temporary disconnection, the Licensee shall reconnect the supply of electricity to consumer's installation within 24 hours of payment of past dues and all applicable charges, if any and completion of requisite formalities: Provided that the Licensee shall intimate all applicable charges for reconnection to the consumer in the disconnection notice: Provided further that if a consumer has moved out of the country and provides the documentary evidence, the Licensee shall not levy the reconnection charges.

(2) In case of a permanent disconnection, reconnection shall be made on payment of past dues and all applicable charges, if any and completion of formalities as required for a new connection.

(3) In case of disconnection of supply by the Licensee either erroneously or without notice, the reconnection of supply shall be made within 24 hrs from the time of such disconnection, without levy of any charges, including reconnection charges.

7. As far as OP's submission that "before the expiry of six month as per Regulation 54 (1), the complainant should have given the application to restore the electricity supply, which the complainant failed to give thus the electricity connection of the complainant become dormant. From the perusal of file, we find that the complainant vide mail dated 28.08.2024 requested OP that he has given all the required dues on 22.08.2024, but his supply has not be restore yet, thus he requested OP for re-connection of electricity supply.

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8. In the case of complaint no. 38/07/2019, in the matter of Yamini Maheshwari Vs BSES YPL, on 13.08.2019, this Forum has already decided 'that the connection should have been restored by respondent on payment of dues, since there is no provision in the regulations for restoration request after payment of dues.'
9. The connection in question is CA no. 151761022 in the name of Ashish Jain. The connection should have been restored by the respondent on payment of dues as above. The complainant has not received any notice regarding permanent disconnection. In view of the above, we are of considered opinion that the consumer should not be denied the right to electricity. Thus the electricity connection should be restored on payment of electricity dues within the six months period, which OP failed to do so. We don't find any mistake on the part of the complainant.

ORDER

Complaint is allowed. Respondent is directed to restore the electricity connection of the complainant having CA no. 151761022.

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.

(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

(P.K. SINGH)  
CHAIRMAN

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