



C A No. Applied for
Complaint No. 317/2025

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)

Appearance:

1. Mr. Nishikant Ray, Counsel for the complainant
2. Mr. Prakash Kumar, Mr. R.S. Bisht, Mr. Akshat Aggarwal, MR. Shiven Mishra & Ms. Jyoti Sharma, On behalf of BYPL

ORDER

Date of Hearing: 9th December, 2025

Date of Order: 10th December, 2025

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



1. The present complaint has been filed by Mr. Ashish Jain against BSES YPL- Chandni Chowk.
2. The brief facts of the grievance are that the complainant applied for new electricity connection vide request no. 8007672596 at premises no. 4136, pvt. Shop no. 1, Naya Bazar, Delhi-110006. The application of the complainant for new electricity connection was rejected by OP on grounds of MCD booking.

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CGRF (BYPL)

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3. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connection under NX category at property bearing no. 4136, ground floor, pvt. Shop no. 1, Naya Bazar, Delhi-110006 vide application no. 8007672596. The application of the complainant for new electricity connection was rejected as the address of applied site is reflecting in MCD objection list for unauthorised construction vide letter no. 214/80/B/UC/CZ/16 dated 16.08.2016, therefore for release of fresh electricity connection the complainant has to submit NOC/Building Completion Certificate from MCD.
4. The counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and stated that the building is very old constructed. The complainant further submitted that MCD vide order dated 28.07.2017 passed by Sh. S.R. Kataria, Dy. Commissioner for demolish the unauthorised construction of the said building. Thereafter the applicant/complainant filed appeal against the said order before DA & SJ Cum P.O. Appellant Tribunal MCD, Delhi vide appeal no. 302/2017 and the appellant court has set aside the above order dated 19.10.2017 in favour of the complainant and MCD did not file any appeal in any Court.
5. Arguments of both the parties were heard.
6. From the narration of facts and material placed before us we find that the application of the complainant for new electricity connection was rejected by OP on grounds of MCD booking and the recent Judgment of Hon'ble Delhi High Court vide no W.P. (c) 7618/2023 & CM appl. 29530/2023, CM Appl. 70837/2025 dated 13.11.2025 has held as under

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"19. Thus, considering the detailed discussion hereinabove, this Court is of the view that there is no impediment with the petitioner company to grant or continue with electricity connection in the premises, where such premises are booked for unauthorized construction. However, as and when MCD takes any coercive action against such properties, which are booked for unauthorized construction, the MCD shall duly intimate the concerned electricity companies, in that regard.

20. The electricity company shall be free to disconnect the electricity connection, as and when such request or direction is given by the MCD, at the time of taking action against the unauthorized construction in the properties in question.

The Government of National Capital Territory of Delhi (Department of Power) vide their circular no. E.11/2025/Power/7091-97 dated 17.11.2025 also directed DISCOMs to not to deny or discontinue electricity supply in premises merely because the property is booked for unauthorized construction.

To disconnect electricity only upon receiving formal intimation from MCD at the time of demolition/sealing action.

7. In view of the above directions of Hon'ble High Court of Delhi and notification from Govt. of NCT of Delhi, we are of the opinion that the new electricity connection to the complainant cannot be denied. Therefore, OP should release the electricity connection to the complainant as applied for by him.



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ORDER

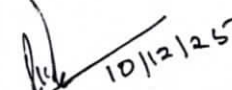
The complaint is allowed. OP is directed to release the new electricity connections as applied for by the complainant vide request no. 8007672596 at premises no. 4136, pvt. Shop no. 1, Naya Bazar, Delhi-110006 after completion of other commercial formalities as per DERC Regulations 2017. The complainant is further directed to file an affidavit/undertaking stating that if any authority/department takes any action against the property of the complainant OP should be free to take action as per law.

OP is further directed to file compliance report within 21 days of the action taken on this 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.


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


(P.K. SINGH)
CHAIRMAN

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