

C A No. Applied for
Complaint No. 411/2024

In the matter of:

Bakshish SinghComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal on behalf of respondent

ORDER

Date of Hearing: 11th February, 2025

Date of Order: 17th February, 2025

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

1. The present complaint has been filed by Mr. Bakshish Singh against BSES-YPL Laxmi Nagar.

2. The brief facts of the case giving rise to this grievance are that the complainant applied for temporary new electricity connection under NX category at premises no. 7738/39, ground floor, Guru Ram Das Nagar Extension, Laxmi Nagar, Delhi-110092 vide request no. 8006984636.

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CGRF (BYPL)

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The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of MCD Objection, unauthorized construction in the shape of room, kit, toilet etc at GF, FF, MRO required 11686282, 35169529 and 70076911.

3. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking temporary new connection for Non-Domestic purpose for new construction at premises no. 738/39, GF, Temporary, 738/39 Guru Ramdas Nagar Extension, Laxmi Nagar, Delhi-110092 vide request no. 8006984636. The application of the new connection was rejected on account of property is in MCD Objection list of unauthorized construction. Reply further states that at present three connections already exist in the applied premises which also needs to be surrendered.
4. Counsel for the complainant failed filing rejoinder despite giving three opportunities for filing rejoinder on dated 03.10.2024, 24.10.2024 and 12.11.2024. Thereafter, the matter was put up for arguments and on three consecutive hearings on 05.12.2024, 06.01.2025 and 21.01.2025; none was present on behalf of the complainant. The matter was finally heard on 11.02.2025.
5. Heard arguments of both the parties.
6. From the narration of facts and material placed before us we find that the complainant applied for new electricity connection which OP rejected on pretext of building booked by MCD. OP alongwith its reply has not submitted MCD booking list instead file an electronic

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evidence in form of an affidavit attaching there with MCD website print out showing property no. 738, Guru Ram Das Nagar Extension, Laxmi Nagar, Laxmi Nagar 221 Shahdara, South zone being booked in the name of Hassan on dated 22.04.2015.

The complainant submitted property documents of the year 1970 which shows the complainant becoming owner of the property in question vide sale deed dated 11.06.1970.

7. The MCD booking is of the year 2015 and the objection of the OP of MCD booking is no justified and even if the MCD booking is considered, then the structure which was booked by MCD has now been totally demolished and the complainant has applied for temporary connection for re-construction purposes only. In view of above, we cannot deprive the complainant of electricity. Therefore, OP is hereby directed to grant the application of the complainant for electricity connection in the applied premises.
8. Water and electricity is integral part of right of life. Hon'ble Supreme Court in the matter of Dilip (dead) LR Vs Satish, in the case no. SSC 810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.
9. In the facts and circumstances aforesaid, we are of the view that the respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant should file an affidavit that if in future MCD takes any action against the property then OP should be at liberty to disconnect the supply of the complaint is allowed.

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ORDER

Complaint is allowed. Respondent is directed to release the new Temporary connection applied by complainant vide application no. 8007196770 at premises no. 7/300, A- Lalita Park, Laxmi Nagar, Delhi-110092, after completion of all the commercial formalities and after submitting the undertaking by the complainant regarding the fact that whenever MCD in future take any action, OP is free to disconnect the new electricity connections.

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)

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

17/12/25
(P.K.SINGH)
CHAIRMAN

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[Signature]
Secretary
CGRF (BYPL)