



C A No. Applied for
Complaint No. 191/2024

In the matter of:

Devender Prasad Choubey

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. None present on behalf of the complainant
2. Mr. R.S. Bisht & Mr. Akshat Aggarwal, on behalf of respondent
3. None present on behalf of respondent no. 2

ORDER

Date of Hearing: 12th September, 2024

Date of Order: 18th September, 2024

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief facts of the case giving rise to this grievance are that the complainant was having an electricity connection in his name at premises bearing no. A-141, Pocket 4, Mayur Vihar Phase-I, Delhi-110091 vide CA no. 151180577. It is also his case that he has given his flat to live to his brother-in-law, thereafter his brother-in-law, in

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CGRF (BYPL)

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connivance with OP changed the name of his electricity connection. Therefore, he requested the Forum for directions to OP for providing him documents on the basis of which OP has changed the name of the electricity connection from D.P. Choubey to A.N. Tripathi.

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant Sh. Devendera Prasad Choubey who is owner of property bearing no. A-141, Mayur Vihar Phase-IV, New Delhi, where the connection bearing no. 151180577 has been installed. Complainant vide this complaint is seeking the documents which was filed for the name change of the said connection to one Sh. Amar nath Tripathi.

Reply further stated that the OP has examined the documents and as per record, it reveals that DP Choubey was allotted the said property by DDA vide allotment letter dated 27.03.21995 pursuant to the registration under Scheme 1979 of DDA dated 27.03.1995. DDA has also issued necessary certificate in the name of DP Choubey and MCD has also made assessment of property tax in the name of DP Choubey.

3. The complainant in its rejoinder reiterated his original complaint and submitted that the documents used for change of name of electricity connection from D P Choubey to Amar Nath Tripathi were handed over to the complainant are not clear and legible. Therefore, he again requested for clear copy of the same. And also requested to restore the electricity connection in his name i.e. D.P. Choubey.

4. During the course of arguments, OP stated that it is necessary to make Sh. A. N. Tripathi a party in the present case. Therefore, Sh. A.N. Tripathi was served notice to appear before the Forum.

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5. The matter was finally heard on 12.09.2024, when OP submitted a letter from Ms. Pooja, daughter of Sh. A.N. Tripathi, in which she states that a case in Civil Court in the court of Justice Sh. Fahad Uddin is being heard and the matter is on Judgment on 29.10.2024. OP was directed to provide the details of the Civil Court case.

OP provided the details of the case vide Civil Suit No. 263/2019 between Devendra Prasad Choubey Vs. Amarnath Tripathi and same is fixed for clarifications/orders in the present case.

6. Before disposal of the present case, the relevant Regulations applicable in the present matter are narrated here:

THE DELHI ELECTRICITY REGULATORY COMMISSION (Forum for Redressal of Grievances of the Consumers and Ombudsman) REGULATIONS, 2018, Regulation 13. Limitation of Jurisdiction of the Forum

(1) The Forum shall not entertain a grievance if it pertains to the same subject matter for which any proceedings before any court, authority or any other Forum is pending or a decree, award or a final order has already been passed by any competent court, authority or forum.

7. In view of the above, we are of considered opinion that since the matter is pending for adjudication before the Civil Court, thus this Forum has no jurisdiction to entertain the present case. The case is dismissed. No order as to the cost. Both the parties should be informed accordingly. Proceedings closed.

(S.R. KHAN) 12/9/24
MEMBER-TECH

(P.K. SINGH)
CHAIRMAN

(P.K. AGRAWAL)
MEMBER-LEGAL

(NISHAT AHMAD ALVI)
MEMBER-CRM

(H.S. SOHAL)
MEMBER

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