



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
E-mail:cgrfbyp@hotmail.com
SEARCHES INDEXED

C A No. Applied for
Complaint No. 428/2024

In the matter of:

Harpali Devi & OthersComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Ritu Gupta, Mr. R.S. Bisht & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 22nd October, 2024

Date of Order: 28th October, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for four new electricity connections at premises no. 1/7228, Kh. No. 218, East Gorakh Park, Shahdaram, Delhi-110032, vide requests no. 8007046948, 8007046956, 8007049180 & 8007049188. The application of complainant was rejected by OP on the pretext of pending energy Dues against CA & MCD Objection, but Complainant stated he has already submitted BCC.

Attested True Copy

Secretary

CGRF (BYPL)

Complaint No. 428/2024

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking for two new connections at premises no. 1/7228, Kh. No. 218, East Gorakh Park, Shahdara, Delhi-110032. The complainant had applied for four new electricity connections for the various floors of the subject property which as on date is rejected on account of outstanding dues. The details of the said four applications for the new connections are as under:

| S. NO. | APPLICATION No. | APPLICANT | FLOOR |
|--------|-----------------|--------------|-----------------|
| 1 | 8007049180 | AARTI | G/F, Shop No. 1 |
| 2 | 8007049188 | TARUN KANWAR | Upper G/F |
| 3 | 8007046956 | ANWAR KHAN | First Floor |
| 4 | 8007046956 | HARPALI | Second Floor |

That upon inspection of such premises it was found that the premises consist of Ground + Upper Ground +Three Floors over it. On Ground Floor four shops are existing and on floors above the Ground Floor, there are two dwelling units on each floor.

The details of outstanding dues energy and enforcement dues pertaining of subject property are as under:

| S.No. | CA No. | R/C | Amount | Floors |
|-------|-----------|-------------------------|----------|------------------------------|
| 1. | 101268712 | Mohinder Kumar Aggarwal | 11,007 | 1/7228 East Gorakh Park, SHD |
| 2. | 101285231 | Man Singh | 1,83,089 | 1/7228 East Gorakh Park, SHD |
| 3. | 150266000 | Raj Sharma | 58,357 | 1/7228, S/F |
| 4. | 150918853 | Rekha | 54,782 | 1/7228, UGF |
| 5. | 150259071 | Raj Sharma | 37,803 | 1/7228, Top Floor |
| 6. | 400017513 | Mohinder Kumar Aggarwal | 1,57,623 | 1/7228 East Gorakh Park, SHD |

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It is submitted that initially application were rejected on account of MCD objection as well. However, the same no longer subsists being an old list. As there exists energy and enforcement dues pertaining to the subject premises, therefore, no new connection can be provided till the complainant clears all the outstanding dues.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that CA No. 153827998 was installed by BYPL on 17.07.2022 and CA No. 153630969 on 14.01.2022 in our premises and all types of dues were checked at the time of issuing the connection. The connections given in the above premises were given on the basis of BCC and even now we have given the BCC received by MCD in above applications.
4. During the argument, OP was directed to conduct site visit report. The site visit report was placed on record and it stated that meters installed against CA no. 101285231, CA No. 101171746, CA no. 101232748, CA no. 101268712, CA No. 150259071, CA no. 150266000 & CA No. 150918853 are not traceable at site instead there are multiple new meters are installed. Report further stated that this property is of around 2500 gaj.
5. Arguments of both the parties were heard at length.
6. During the course of arguments, the OP stated that the dues which are pending at the applied premises are to be paid in pro-rata by the complainant. OP further stated that there are pending enforcement dues also which needs to be settled in PLA only by the complainant.
7. From the submission of OP, the complainant agreed to pay the pro-rata share of all the pending dues including the enforcement bill.

The complainant stated that the bills which OP is claiming to be of enforcement dues are of Voluntary Declaration Scheme bill, which was declared by the then owner of the building and now he is ready to pay the pro-rata share of that bill too.

8. In view of the above, we are of considered opinion that the complainant is ready to make the pro-rata payment of all the pending dues at the applied premises. We also find that OP has also released many connections in the said property without asking for the pending dues or enforcement bill, therefore, OP is directed to issue the complainant pro-rata bill of all the pending dues at the subject premises including Voluntary Declaration Bill dues.

ORDER

The complaint is allowed with direction to OP to issue complainant pro-rata bill of his share of pending dues including the Voluntary Declaration dues also and thereafter release the new electricity connection to the complainant as applied for by him vide request no. 8007046956, 8007046948, 8007049180 and 8007049188 at premises no. 1/7228, KH. No. 218, East Gorakh Park, Shahdara, Delhi-110032.

This Order shall be complied with 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 the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.

(H.S. SOHAL)
MEMBER

(NISHAT A ALVI)
MEMBER (CRM)

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

(P.K. SINGH)
CHAIRMAN

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CGRF (BYPL)