

C A No. Applied For
Complaint No. 17/2026

In the matter of:

Haseeb AhmedComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Haseeb Ahmed, Complainant
2. Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 09th April, 2026

Date of Order: 13th April, 2026

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The brief facts of the grievance are the complainant applied for a new electricity connection vide request no. ONCCK1112255607 for premises bearing 2660, 2nd floor, Gali Satgrah, Mohalla Niyarian, Ajmeri Gate, Delhi-110006.

The application was rejected by the Opposite Party (OP) on the grounds of incomplete documents, back chain of Anwar Ahmed is required.

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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new domestic electricity connection at premises no. 2660, 2nd floor, Gali Satgrah, Mohalla Niyarian, Ajmeri Gate, Delhi-110006 vide request no. ONCCK1112255607.

Reply further submitted that the upon scrutiny of the documents placed by complainant on record, it was found that the complainant relied upon alleged gift deed dated 05.03.2024 which is not registered and a General Power of Attorney dated 04.12.2025 executed by Zakra Bi in favour of the complainant. Thus, copy of back is required as applicant have submitted only Gift deed and GPA.

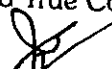
Reply also submitted that the alleged Gift deed is admittedly not a registered instrument. Under Section 17 of the Registration Act 908, registration of an instrument of gift of immovable property is compulsory. An unregistered gift deed is void for the purpose of conveying title and does not create, assign, limit or extinguish any right in immovable property.

It is further added that the GPA dated 04.12.2025 is only a notarized document and does not amount to transfer of ownership. The complainant has therefore failed to establish lawful ownership or legally recognizable possessory rights in respect of the applied premises.


Also, there are pending dues linked with same premises, vide CA no. 400314224 amounting to Rs. 33,645.49/- in the name of Mohd Sabir, CA no. 401149381 amounting to Rs. 39,325.27/- in the name of Mohd Sabir and CA no. 401681070 amounting to Rs. 15,648.48 in the name of Zakra.

OP further added that during site inspection it was categorically recorded that the applied building is stated to be Masjid Property, and a formal objection has been raised by the Masjid Committee. That OP has received a written objection from Muntazma Committee, Masjid Sagheer Hasan, asserting that the property no. 2660 is Masjid Property and specifically requesting that no new electricity connection be granted without their consent.

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OP along with reply also submitted written objection from Muntazama Committee, Masjid Sagheer Hasan, asserting that property no. 2660 is Masjid property and specifically requesting that no new electricity connection be granted without their consent. OP also submitted complete property chain along with the Masjid Committee letter.

3. The complainant in its rejoinder refuted the contents stated in the reply of respondent. It is also submitted by the complainant that as per DERC Supply Code 2017, he has fulfilled all the requisite formalities for grant of new electricity connection in his favour.


The complainant further stated citations of different courts with regard to release of new electricity connection.

4. The complainant further submitted written arguments stating there in that Under Section 43 of the Electricity Act 2003, the distribution licensee is under a mandatory obligation to supply electricity to an occupier of the premises. The complainant also stated that this Forum in C.G. No. 409/2024 in the matter of Mohd Iqbal Vs BSES, C.G. No. 219/2024 in the matter of Vijay Pal Singh Vs BSES and C.G. no. 7/2021, in the matter of Bhagwati Vs BSES, has granted new electricity connection even in the absence of ownership documents where the applicant was able to establish possession of the premises. The complainant again submitted citations of various courts judgments and also file Shariat Act 1937, and Transfer of property act.


5. Arguments of both the parties were heard.

6. From the narration of facts and material placed before us we find that the complainant applied for a new electricity connection for premises bearing no. 2660, 2nd Floor, Gali Satgrah, Mohalla Niyarian, Ajmeri Gate, Delhi vide application no. ONCCK1112255607.

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The said application was rejected by the respondent on the grounds of incomplete documentation, absence of ownership chain, existence of outstanding dues, and objection raised by a third party claiming the property to be Masjid property.

7. The following issues arise for consideration:

1. Whether the complainant has established lawful ownership or valid possessory rights over the subject premises?
2. Whether the respondent was justified in rejecting the application for a new electricity connection?
3. Whether the complainant is entitled to relief under Section 43 of the Electricity Act, 2003?

8. Regarding the above issues, the Forum's findings are as under:

Issue No. 1: Ownership / Possession


The complainant has relied upon:

- An alleged Gift Deed dated 05.03.2024 and a General Power of Attorney dated 04.12.2025

It is an admitted position that the Gift Deed is **unregistered** and the GPA is **merely notarized**

Under Section 17 of the Registration Act, 1908, registration of a gift deed relating to immovable property is **mandatory**. An unregistered gift deed does not convey any title or legal interest.

Further, it is settled law that a GPA does not amount to transfer of ownership nor does it create any independent right in immovable property.

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Accordingly, this Forum holds that the complainant has failed to establish ownership over the premises.

Issue No. 2: Justification of Rejection by Respondent

The respondent has raised the following objections:

(a) Incomplete Property Chain, in this regard the complainant failed to submit complete ownership/back chain documents, thereby rendering the application deficient.

(b) Outstanding Dues, in this regard, the Forum finds merit in the respondent's contention that grant of a fresh connection in such circumstances, without addressing pending dues, would be contrary to prudent utility practices.

(c) Third-Party Objection

A written objection has been received from the Muntazma Committee of Masjid Sagheer Hasan asserting that the property in question is Masjid property and objecting to grant of electricity connection without their consent.

This raises a serious dispute regarding title and nature of the property, which cannot be adjudicated in summary proceedings before this Forum.

It is a settled principle that electricity authorities should refrain from granting connections in cases where Ownership is disputed.

In view of the above, the Forum finds that the respondent acted rightly and within its jurisdiction in rejecting the application.

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Issue No. 3: Applicability of Section 43 of Electricity Act

The complainant has relied upon Section 43 of the Electricity Act, 2003, which mandates supply of electricity to an owner or occupier.

In the present case, Lawful possession is not established, Ownership is not proved. Therefore, the complainant cannot claim benefit of Section 43 in the absence of prima facie lawful entitlement.


9. In view of the facts and findings recorded above, this Forum holds that the complainant has failed to establish ownership or lawful possession over the subject premises.

ORDER

The complaint is dismissed. The respondent has rightly rejected the application of the complainant for new electricity connection. The complainant is at liberty to approach the appropriate civil court or competent authority for adjudication of title/possession disputes.

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.


13/4/26
(S.R. KHAN)
MEMBER (TECH.)


13/4/26
(P.K. AGRAWAL)
MEMBER (LEGAL)

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