

C A No. Applied For
Complaint No. 94/2024

In the matter of:

Hemant GoelComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

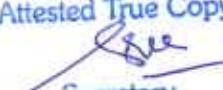
1. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Ms. Ritu Gupta, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 11th July, 2024

Date of Order: 15th July, 2024

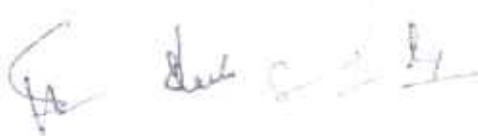
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Secretary
CGRF (BYPL)

Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)

1. The brief facts of the case giving rise to this grievance are that complainant Mr. Hemant Goel applied for new electricity connection vide request no. 8006762338 at his premises no. 3413-14, GF, Gali Maliyan Bazar, Delhi Gate, Daryaganj, Delhi-110002. Complainant further submitted that his application for new connection was rejected by OP on the ground that there are six dwelling units and six meters already exists at site.



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2. The respondent in reply briefly stated that the complainant is seeking new electricity connection under commercial category at ground floor vide request no. 8006762338 at premises no. 3413 Gali Mailyan Bazar, Delhi Gate,Darya Ganj, Delhi-110002, but the application of the complainant was rejected for the reason that there are seven units on the ground floor and already seven connections are existing.

Reply further added that building structure consists of ground plus two floors over it. At present total 11 units exists at applied building. At ground floor there are four dwelling units and three commercial units. At first floor and second floor there are two dwelling units at each floor.

The details are as under:

S.No.	Meter no.	Floor	D.O.E.	Category	Meter using floor
1	11705487	GF	28.05.2007	DX	Used at GF
2	35073277	GF	20.12.2007	DX	Used at GF
3	11640853	GF	24.11.1971	DX	Used at GF
4	35541722	No floor	27.08.1975	DX	Used at FF (Left Side)
5	35777025	No floor	21.06.2012	NX	Used at GF
6	11970869	No floor	09.03.1999	DX	Used at FF (Right Side)
7	70232220	GF	21.06.2012	NX	Used at GF

Reply further added that there are outstanding dues of five enforcement bills which are also needed to be cleared and from the video it is clear that all the bills pertains to property number 3413 itself.

3. Counsel of the complainant in rebuttal reiterated his original complaint. Rejoinder further stated that as per OP's contention the ground floor is energized but the fact is there are only two commercial connections on ground floor and there exists three shops. Also, the DT bills as asked by OP to clear pertain to domestic DT in the name of Ms. Sunita and she is staying in her separate domestic dwelling unit in the premises in question. Counsel of the complainant also asked for details of the theft bills to ascertain if the DT bills are recoverable from the complainant or not.

4. Heard arguments of both the parties at length and perused the record.

5. From the narration of facts and material placed before us we find that the complainant applied for new electricity connection at the ground floor. OP in its reply has admitted that at the ground floor of the premises have three commercial units and only two commercial connections are installed at the ground floor.

In view of this fact, there is scope of providing connection under commercial category to the complainant.

Regarding the enforcement bills, all the five bills of direct theft placed on record are pertaining to domestic DT whereas the complainant has applied for new electricity connection for commercial category. Also, the enforcement bills pertain to one Ms. Sunita, who (as per the complainant's version in rejoinder) is still occupant in the same premises of her separate dwelling unit. OP has not objected to this claim of the complainant.

6. Therefore, we find no lapse on the part of the complainant and the rejection of application of the complainant for new electricity meter by OP is unjustified. It is very much clear from the site visit report dated 27.02.2024 placed on record by OP, that the applied shop is without electricity.

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J. S. S.
Secretary
CGRF (BYPL)

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Since the theft dues are of domestic DT, the complainant is not liable to clear the said dues and OP should recover their theft dues from Ms. Sunita, who is also residing in the same premises.

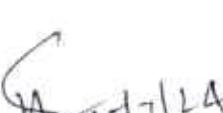
7. In view of the above, we are of considered opinion that the complainant's application for new electricity meter should be allowed.

ORDER

Complaint is allowed. OP is directed to release the new electricity connection as applied for, by the complainant vide application no. 8006762338 for commercial category after completion of the other commercial formalities as per DERC Regulations 2017.

OP is further directed to file compliance report within 21 days from the date of this order.

The case is disposed off as above. No order as to the cost. Both the parties should be informed accordingly.


(S.R. KHAN) 5/7/14
MEMBER - TECH

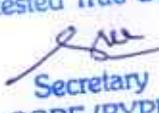

(P.K. SINGH)
CHAIRMAN


(P.K AGRAWAL)
MEMBER -LEGAL


(NISHAT A ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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CGRF (BYPL)