

**C A No. Applied For**  
**Complaint No. 513/2024**

In the matter of:

Hitender Gera & Others .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Vinod Kumar, Counsel of the Complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. Rahul, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

**ORDER**

Date of Hearing: 23<sup>rd</sup> April, 2025

Date of Order: 28<sup>th</sup> April, 2025

**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 applied for new electricity connections vide request no. 8007122816, 8007122805, 8007122748, 8007122789 and 8007122797 at premises no. D-229, Jhilmil Colony, Delhi-110095, but respondent rejected the application of the complainant for new connection on grounds of long service line approx 60 meter required, building height more than 15 meters and removal of existing meter required.

Attested True Copy

Secretary  
CGRF (BYPL)

Complaint No. 540/2024

2. The respondent in reply briefly stated that the present complaint has been filed by complainants seeking multiple electricity connections for premises bearing no. D-229, Jhilmil Colony, Delhi-110095 at different floors vide application no. 8007122816, 8007122805, 8007122748, 8007122789 and 8007122797. The applications of the complainants were rejected on following grounds:
- a) Valid title documents not submitted hit by Regulation 10 of DERC (Supply Code and Performance Standards) Regulations 2017. The complete property chain is missing; the plot was allotted by DDA to one Rameshwari Devi. Thereafter, Rameshwari Devi sold it to Arjun Kumar & Mahesh Kumar in 1994 by the way of unregistered GPA. The next chain of documents is missing. The documents submitted by the complainant shows that the property was sold by Laxman Das to Harbans Lal around 30 sq yards and again Harbans Lal to Heena and from Heena to the complainant.
  - b) Technical feasibility is not made out at the applied premises as long service line required approx 60 meters.
  - c) Applied 4<sup>th</sup> floor is having height more than 15 meters which mandates submission of requisite document.
  - d) Removal of meter no. 35808670.
3. In response to the reply the complainant filed rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted that one electricity pole no. G307 (un-electrified) is installed at the distance of 30 meters from the applied portion/property connection from the same. OP has released many connections adjacent to the applied property from pole no. JLMPG319S1. The said pole is at approx 30 meters distance from the complainants premises.

Attested True Copy

Secretary  
CGRF (BYPL)

Complaint No. 513/2024

Regarding the second objection of OP, the complainant submitted that his premises are below the height of 15 meters. Against the objection of OP the complainant along with rejoinder submitted complete set of property documents.

4. Heard arguments of both the parties at length.
5. From the narration of facts and material placed before us we find that the complainant approached this Forum for his grievance regarding release of new electricity connections which OP rejected on the grounds of invalid title/property documents, building height more than 15 meters and long service cable required.

Regarding first objection of the OP, the complainant placed on record complete property chain which clarifies the objection of OP of missing documents. The documents show that the complainants are owners of the 30 sq yards of property bearing no. D-229 (back side), Jhilmil Colony, Delhi-110095.

Regarding the second objection of OP that height of the 4<sup>th</sup> floor is beyond 15 meters, the complainant has placed on record Architect Certificate to prove that the building height is less than 15 meters.

With regard to the third objection of OP, that long service cable of around 60 meter is required, in this regard the complainant submitted that a pole having no. G-307 which is not electrified is approximately 30 meters and Pole no. JLM PG319S1 is approx 40 meters away from their premises.

3 of 5

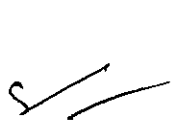


Attested True Copy

Secretary  
CGRF (BYPL)

Complaint No. 513/2024

In view of the above deliberations, we find that the area where the complainant has applied for new connections is an electrified area and OP is not justified in rejecting the application of the complainant on this ground. The neighboring houses of the complainant also have electricity connections. Therefore, we feel denying electricity connection to the complainant is not justified. OP should install electricity connections as applied for by the complainants either by installing angles or any other support system for the service cable to provide electricity connections to the complainant.

6. Since, 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.
7. In the facts and circumstances aforesaid, we are of the view that the OP should install the angles or any other support system for the long service cables required for installing new electricity connections at the premises of the complainants.
8. Therefore, respondent may be directed to provide the electricity connections to the complainants subject to fulfillment of all the commercial formalities and submission of demand note as issued by the OP for release of new electricity connections.

Complaint No. 513/2024

ORDER

The complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no8007122816, 8007122805, 8007122748, 8007122789 and 8007122797 at premises no. D-229, Jhilmil Colony, Delhi-110095, after completion of all the commercial formalities required for giving connection as per DERC Regulations 2017.

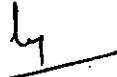
This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

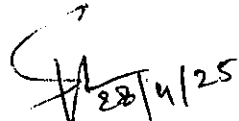
The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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.

  
(H.S.SOHAL)  
MEMBER

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

5 of 5

Attested True Copy

  
Secretary  
CGRF (BYPL)