

C A No. Applied for
Complaint No. 07/2025

In the matter of:

Kuresha Begum

.....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. Ms. Sakshi Sharma, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal on behalf of respondent

ORDER

Date of Hearing: 27th March, 2025

Date of Order: 01st 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 connection at premises no. 165, Kh. No. 98 & 99, 3rd floor, Gali no. 9, Jafrabad, Delhi-110053, vide request no. 8007309265. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of removal of existing meter and final billing PD punch required-35651058, energy dues against CA no. 153274578, 153210574, MCD objection.

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CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking for new electricity connection at 3rd floor of premises no. 165, Kh. No. 98 & 99, Gali no. 9, Jafrabad ,Delhi-110053, vide request no. 800730265. The application of the new connection was rejected on account of **Firstly**; applied address appearing in MCD booking list dated 22.05.2019 @ sr. no. 20, in the name of Shahanwaj, since the authorized official of MCD, who issued the BCC has been debarred which bring the alleged BCC under the cloud of shadow. **Secondly**; pending energy dues at the applied premises. Reply further added that a connection bearing CA no. 153210676 in the name of Kuresha Begum, for the same third floor was disconnected on account of non-payment of energy dues amounting to Rs. 280380/- and the meter was removed on 18.03.2024.
3. In rejoinder to the reply denying OP's allegation reiterating her claim complainant stated that she purchased the above said property on 21.08.2020 and the completion cum occupancy certificate of the building was issued by the MCD department on 04.12.2020. On the basis of said completion cum occupancy certificate OP has issued six electricity connections on ground, first, second and fourth floors in the applied building. The complainant's floor is 3rd floor which is without electricity.
4. Arguments of both the parties are heard.
5. From the narration of facts and material placed before us we find that the new connection application of the complainant was rejected by OP on grounds of pending energy dues and premises booked by MCD.

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Regarding the first objection of OP, the complainant stated that she is ready to pay the pending energy dues. And regarding MCD objection she stated that the objection of OP is not maintainable as the BCC has been issued by MCD regarding the subject premises and OP has already released six electricity connections on the basis of said BCC. Therefore, the complainant is also liable to get the new electricity connection.

6. Forum also finds that the OP has not placed on record any details of the de-barring of the Architect who issued BCC for the property in question. Therefore, this objection of OP is not sustainable as the complainant cannot be deprived off her right to her electricity.



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.

ORDER

Complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no. 8007309265 at premises no. 165, Kh. No. 98 & 99, 3rd floor, Gali no. 9, Jafrabad, Delhi-110053, after payment of pending electricity dues and completion of all other commercial formalities as per DERC Regulations 2017.

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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.

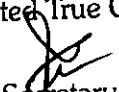

(H.S.SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN) 01/4/25
MEMBER (TECH.)

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