



C A No. Applied for
Complaint No. 146/2025

In the matter of:

Madhu & Jagmohan

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Shanky R.S. Gupta, A.R for the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. Akshat Aggarwal & MS. Jyoti Sharma, On behalf of BYPL

ORDER

Date of Hearing: 16th December, 2025

Date of Order: 17th December, 2025

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

1. The brief facts of the grievance are that the complainant applied for new electricity connections vide request no. 8007350878, 8007350863, 8007329804 and 8007350887 at different floors of premises no. Part-181, West Azad Nagar, Street No. 7, Shahdara, Delhi-110051 but his application for new connection was rejected by OP on pretext of MCD objection, unauthorised construction with encroachment on common land projection on MPL land with SBP.

Attested True Copy

Secretary
CGRF (BYPL)

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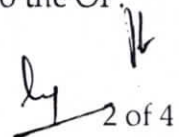
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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connections at premises no. Part-181, West Azad Nagar, Street No. 7, Shahdara, Delhi-110051 vide application no. 8007329787, 8007350863, 8007350878, 8007430064 and 8007350887. Reply further stated that the applications of the complainant for new electricity connections were rejected as the premises where new electricity connections are applied is booked by MCD vide letter dated 11.04.2022 booked under unauthorised construction. Therefore, NOC or completion and occupancy certificate from MCD is required.

Reply further submitted that complainant failed to file the title documents in order to establish the locus to seek the connection at the applied site and further the complete chain of the title documents is also required to make the present complainant reliant in terms of the Regulation 10 (3) of DERC Supply Code 2017.

3. The representative of the complainant did not file rejoinder.
4. Arguments of both the parties are heard.
5. From the narration of facts and material placed before us we find that the applications of the complainant for new electricity connections were rejected by OP on grounds of MCD booking and title documents.
6. Regarding title documents the complainant submitted copy of same before the Forum and also provided copy of the property documents to the OP.



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7. Also, the recent Judgment of Hon'ble Delhi High Court vide order no. W.P. (c) 7618/2023 & CM appl. 29530/2023, CM Appl. 70837/2025 dated 13.11.2025 has held as under

"19. Thus, considering the detailed discussion hereinabove, this Court is of the view that there is no impediment with the petitioner company to grant or continue with electricity connection in the premises, where such premises are booked for unauthorized construction. However, as and when MCD takes any coercive action against such properties, which are booked for unauthorized construction, the MCD shall duly intimate the concerned electricity companies, in that regard.

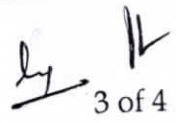
20. The electricity company shall be free to disconnect the electricity connection, as and when such request or direction is given by the MCD, at the time of taking action against the unauthorized construction in the properties in question.

8. The Government of National Capital Territory of Delhi (Department of Power) vide their circular no. E.11/2025/Power/7091-97 dated 17.11.2025 also directed DISCOMs to not to deny or discontinue electricity supply in premises merely because the property is booked for unauthorized construction.

To disconnect electricity only upon receiving formal intimation from MCD at the time of demolition/sealing action.

9. Since both the objections of the OP are fulfilled, thus in view of the above, we are of the view that the respondent should provide the connection to the complainant.



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ORDER


The complaint is allowed. OP is directed to release the new electricity connection as applied for by the complainant vide request no. 8007329787, 8007350863, 8007350878, 8007430064 and 8007350887 at premises no. Part-181, West Azad Nagar, Street No. 7, Shahdara, Delhi-110051 and completion of other commercial formalities 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.


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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Attested True Copy


Secretary
CGRF (BYPL)