

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act, 2001)
Sub-Station Building BSES (YPL) Regd. Office Karkardoom,
Shahdara, Delhi-11003
Phone: 32978140 Fax: 2238488
E-mail: cgrfbypl@hotmail.com
SECY/CHN 015/08N1

C A No. Applied for
Complaint No. 551/2024

In the matter of:

Merajuddin Saikh

.....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)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht & Mr. Akshat Aggarwal on behalf of respondent

ORDER

Date of Hearing: 20th March, 2025

Date of Order: 27th March, 2025

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. The present complaint is filed by Mr. Merajuddin Shaikh against BYPL-NNG.
2. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. A-79, Fourth Floor, Khasra No. 41, 100 Ft. Road, Kabir Nagar, Delhi-110094, vide requests no. 8007067789.

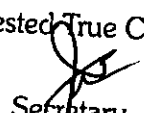
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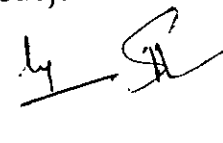

Secretary
CGRF (BYPL)

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The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of 5 Feasible Units & 5 Meters already exists but meter no. 55388872 hide by applicant and it was not found at site, but complainant stated that the above said premises was purchased on dated 14.12.2022 without electricity connection and the CA No. 101556563 was disconnected on dated 22.11.2023, which does not pertain to the applied premises/floor. Therefore, he requested the Forum to direct the respondent for release of new connection.

3. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking new electricity connection at the property bearing no. A-79, Fourth Floor, Khasra No. 41, 100 Ft Road, Kabir Nagar, Delhi-110094, vide request no. 8007067789. The application of the new connection was rejected on account of Energy dues against CA/meter (5 Feasible units at site & 5 meters already exists, but meter no. 55388872 hide by applicant and it was not found at site). During the inspection made by respondent, 5 Feasible units were found at site and it was also found that 5 Electricity meters bearing no. 55447392, 55440179, 55440180, 55441981, 5538872 already exist at site but the Meter No. 55388872 was not found at site which was hidden by the complainant. Respondent stated that the meter no. 55388872 was installed at energized on 24.11.1992 in the name of Shahsi Bala and last Meter reading was downloaded from such Meter on 06.06.2023 and on 07.10.2023 a site visit was made by the respondent company at the above mentioned premises and the Electricity Meter bearing No. 55388872 as well as the service line was not found at site during the visit. Thereafter, the respondent had sent a notice dated 07.11.2023 addressed to Shashi Bala with the subject "Notice for meter not at site".

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4. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that complainant received the deficiency letter; complainant wrote a letter to the Business Manager, District- Nand Nagari on 22.08.2024 (Dairy No. BM-250) and clarified that meter no. 55388872 has been stolen, but the complainant is not the owner of the said meter yet he is ready to pay the pro-rata share of the said meter's outstanding dues as per DERC Rules & Regulations.
5. Heard arguments of both the parties at length.
6. We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find as under:
 - i) That complainant applied for new electricity connection which OP rejected on pretext of 5 Feasible Units & 5 Meters already exists vides meter no. 55447392, 55440179, 555440180, 55441981 and 55388872. OP further stated that meter no. 55388872 was not found at site.
 - ii) The second objection raised by OP is pending energy dues of stolen meter having CA no. 101556563, which needs to be clear by the complainant for release of new electricity connection.
 - iii) The Complainant stated that the meter has been stolen and he has also filed a FIR regarding meter theft and complainant is ready to pay pro-rata of the final bill Rs. 23,852 against meter no. 55388872.
 - iv) The complainant came into possession of property bearing no. A-79, 4th floor Khasra no. 41, 100 ft road, Kabir Nagar, Delhi-110094 via GPA dated 14.12.2022 from Mr. Azad.
 - (v) The meter no. 55388872 was recording reading even after that and last reading recorded on 06.06.2023.

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- (vi) The other meters installed in the building got energized between 27.10.2022 till 11.11.2022 i.e. before the theft of the meter no. 55388872.
- (vii) The complainant lodged FIR for the stolen meter on 16.08.2024 and clearly admitted in the FIR that "I Merajuddin Shaikh s/o Mohd Siddique, report the theft of my article(s)/belonging(s) from stolen at H.No. 79-A, Kabir Nagar, Delhi-110093 between 10.00 and 11.00 on 16.08.2024."

7. In view of the above deliberations, we are of considered view that the meter was being used by the complainant and the complainant has himself admitted in FIR that his article/belonging got stolen. Also the other connections in the building were energized before the theft of the meter and were in use. Therefore, the complainant plea that he is ready to pay the pro-rata share of the pending dues of the stolen meter cannot be considered, as it is evident that the complainant was in use of the stolen meter and he is liable to pay the dues of the stolen meter.

ORDER

The complaint is ~~rejected~~ ^{Partially allowed}. The complainant is directed to clear the pending dues of stolen meter no. 55388872 for release of the new electricity connection in his name. The OP is also directed to waive off entire LPSC amount form the bill of meter no. 55388872 and after payment of the said bill by the complainant and completion of other commercial formalities OP should release the new connection of the complainant as applied for by him.

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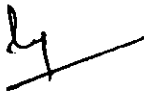
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The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

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.)


(H.K.SINGH)
CHAIRMAN

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