



C A No. Applied for  
Complaint No. 106/2024

In the matter of:

Mohd Hamza .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 06<sup>th</sup> June, 2024

Date of Order: 10<sup>th</sup> June, 2024

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. This complaint has been filed by Mr. Mohd Hamza against BYPL- Chandni Chowk. The brief facts of the case giving rise to this grievance is that the complainant applied for new electricity connection vide request no. 8006711814, at premises no. 2533, 3<sup>th</sup> Floor, Katra Kamil Khan, Mohalla Niyariyan, Behind G B Road Delhi-110006, but respondent rejected the application of the complainant for new connections on the pretext of Energy Dues, Separate Dwelling not existing, Connection already Exists.

Attested True Copy  
  
Secretary  
CGRF (BYPL)

Complaint No. 106/2024

2. OP in its reply briefly stated that the present complaint has been filed by the complainant seeking for one fresh electricity connection at third floor of property bearing no. 2533, Katra Kamil Khan, Mohalla Niyarian, behind G B Road, Delhi-110006, vide application bearing no. 8006711814. After receiving the application, the subject premises were visited and it was found that the building structure consists of Ground floor and four floors above it. Three units exist on each floor till the third floor (effective floor). It was further found that the said building has seven domestic connections and that four meters already exist on the third floor. The application of the complainant was rejected on the ground that no separate dwelling unit exists as four electricity connections already stand registered for the third floor and for the payment of outstanding dues amounting to Rs. 3252/- of CA No. 100218719. The said share has been calculated on pro-rata basis. The actual outstanding dues are Rs. 21,238/- in the name of Abdul Khalid.

S. No.	CA No.	Meter No.	R/C	Floor	Category	DOE
1	100207789	11342434	Md. Zaid Ansari	FF	DX	02.04.11
2	151397025	11756498	Md. Muzammil	TF	DX	27.03.15
3	151486101	11796678	Md. Sajid	TF	DX	06.06.15
4	153494302	11844496	Jannat Begam	TF	DX	22.06.15
5	153494305	35337416	Md. Suleman	TF	DX	10.06.17
6	151363969	11729726	Md. Ishtikar	4F	DX	19.02.15
7	152195074	35337425	Md. Ishtikar	4F	DX	10.06.17

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*2 of 4*

Complaint No. 106/2024

The complainant wants a new connection in respect of the third floor in which all the units are already electrified. Hence, no new connection can be granted.

3. Counsel of the complainant in its rebuttal refuted the contentions of OP as averred in their reply and reiterated his original complaint. He further submitted that the one CA No. 151397025 in the name of Md. Muzammil was release for the 3<sup>rd</sup> floor and presently using at the 2<sup>nd</sup> floor. And second CA No. 151486101 in the name of Md. Sajid was release for the 3<sup>rd</sup> Floor and presently being used at 1<sup>st</sup> Floor.
4. Both the parties visited the site and OP submitted site visit report stating therein that buildings structure is ground + four floors over it. Commercial activity on ground floor and domestic activity found on first floor till fourth floor. Already four domestic meters exist at third floor and only three units exist at third floor.
5. During the course of arguments, the counsel of the complainant stated that this site visit was noted on a diary and that diary note should be placed on record. OP was directed to produce the diary before the Forum.
6. On the final date of hearing the diary note was presented before the Forum and the diary note shows that there are four meters issued for third floor but only two meters are catering electricity at the third floor, rest two meters are catering electricity at 1<sup>st</sup> and 2<sup>nd</sup> floor respectively.

Seeh SP

4 3 of 4



Complaint No. 106/2024


7. In view of the above, we are of considered opinion that the complainant cannot be denied new electricity connection at his portion on third floor. As from the four meters issued against third floor, two are catering electricity at the third floor and rest two are supplying electricity on the other floors (i.e. first and second floor).
8. Therefore, OP is directed to release the new electricity connection to the complainant and regarding the other connections issued for third floor and being used at other floors, as per their usage their billing address should be rectified as per their usage and shifting to respective floors.


ORDER

The complaint is allowed. OP is directed to release the new connection to the complainant as applied for vide request no. 8006711814 after payment of pro-rata bill and completion of all 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.

  
(NISHAT A ALVI)  
MEMBER (CRM)

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

  
(P.K. SINGH)  
CHAIRMAN