

CA No. Applied for
Complaint No. 66/2025

In the matter of:

Mohd Yusuf

.....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: 21st August, 2025

Date of Order: 03rd September, 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 renew electricity connection at premises no. 2855, 4th floor, back left side, Daryaganj, Gali Bhishtyan, Kucha Challan, Delhi-110002 vide request no. 8007381811. It is also his case that the application of the complainant for new electricity connection was rejected on grounds of outstanding dues of CA no. 100210709 and enforcement DT dues exists for CA no. 4012668177. The complainant further submitted that DT case registered on 08.03.2025 has been settled in Lok Adalat and complainant has made payment also.

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The complainant further submitted that OP has released an electricity connection on 03.07.2024 in the name of Saira Naaz vide CA no. 154474215 by charging her on pro-rata basis.

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking new electricity connection at fourth floor of premises bearing no. 2855, back left side, Darya Ganj, Bhishtyan, Kucha Chelan, Delhi-110002 vide application no. 8007381811. The application of the complainant was rejected on following grounds:

- a) Pending energy dues against CA no. 00210709
- b) Pending DT dues against CA no. 401268177
- c) Violation of the DERC Regulation 10(5).

Reply further stated that upon inspection of the said premises, it was discovered that there are several deficiencies which are in direct violation of the DERC (Supply Code and Performance Standards) Regulations 2017.

It is also submitted in reply that as per enforcement department the whole of the premises have been constructed from the disconnected meter and accordingly the dues are liable to be recovered from the applied premises only where the complainant is seeking new connection.

3. Counsel for the complainant filed rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted that the complainant's application for new connection has been rejected on grounds of pending energy dues amounting to Rs. 2,29,103/- and in

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this regard the complainant submitted that the building in which he is residing is ground + 5 floor and one floor has four flats, thus total 20 flats in the building and accordingly, the pending dues shall be equally divided on all the connections in the building. There are two flats on both right side and left side of the premises.

4. The complainant was asked to file property documents, the complainant filed the same and same were verified by the OP. The OP also stated that there are pending dues on the property which needs to be cleared by the complainant. The counsel for the complainant agreed to the same.
5. Arguments of both the parties were heard.
6. The factual position of the case, as apparent from the submissions of both the parties is that the application of the complainant for new electricity connection was rejected by OP on grounds of pending DT and energy dues which needs to be cleared for release of the new electricity connection. The counsel for the complainant agreed for the same. The property documents are submitted by the counsel for the complainant and same has been duly verified by OP. Thus, we do not find any hurdle in releasing the new electricity connection to the complainant as applied for by him.
7. Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 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.

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8. Therefore, we are of the considered view that the respondent may be directed to provide the connection.


ORDER


The complaint is allowed. OP is directed to release the electricity connection as applied for by the complainant vide request no. 8007381811 at premises no. 2855, 4th floor, Back left side, Daryaganj, Gali Bhishtyan, Kucha Challan, Delhi-110005 after completion of other commercial formalities as per DERC Supply Code 2017 and clearance of pending dues.


OP is directed to file compliance report within 21 days of the action taken on this 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.)

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