

CA No. Applied For
Complaint No. 62/2026

In the matter of:

MonikaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Jitender Kumar, Counsel for the complainant
2. Mr. R.S. Bisht, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 07th May, 2026

Date of Order: 11th May, 2026

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

1. The brief facts of the grievance are that the complainant has applied for Name Change vide request no. OOOYVR1709256081 against CA No. 153220279 at premises no. A-1/3, Gali No.1, Bhajanpura, Delhi-110053, but application of the complainant for new electricity connection was rejected by OP on grounds of "Licensee is not the competent authority to examine, verify or adjudicate upon disputes relating to title, ownership or possession of immovable property".

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 1 of 5

Complaint No. 62/2026

2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking restoration/ continuation of name change in respect of electricity connection processed vide order no. OOVVR1709256081, whereby the connection was earlier transferred in her name (CA No. 153220279).

It is further submitted that on 25.09.2025, a diary complaint bearing No. 610 was received at the concerned division office raising objection against the proposed name change and specifically requesting that the same should not be processed. Accordingly, Dispute BP No. 911120773 was generated. Despite the existing subsisting dispute, the name change was inadvertently processed and the connection was transferred in the name of the complainant. The matter was re-examined after receiving objections from the original consumer. It is submitted that the Licensee is not the competent authority to adjudicate disputes relating to ownership, title, or possession of immovable property. That the dispute is essentially between family members inter se, involving claims arising from alleged transfer documents, GPA, and sale transactions, which are civil in nature and require adjudication by a competent Civil Court.

It is further submitted that as per earlier title documents, the property originally stood in the name of Mr. Vinod Kumar, who derived title from Mr. Pramod Kumar Gupta. However, the complainant has relied upon a subsequent GPA dated 08.09.2025 allegedly executed by Kapil and Vivek in favour of their respective spouses, namely Monika and Priya. It is evident from the chain of documents that the claims on property originated from Smt. Laxmi Devi (grandmother), who transferred the property to her son Mr. Vinod Kumar, and thereafter subsequent intra-family arrangements are being asserted. In the light of the competing claims and contradictory documents, the complainant is required to produce clear, complete, and original chain of ownership documents establishing an undisputed title.

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CGRF (BYPL)

  2 of 5

Complaint No. 62/2026

The respondent has privity of contact only with the registered consumer, and therefore, such registered consumer is a necessary and proper party to the present proceedings. It is reiterated that the respondent has neither declared any document invalid nor adjudicated ownership, but has merely refrained from continuing a disputed name change.

3. The complainant in its rejoinder denied the allegations stated by the respondent in its reply. It is stated that once bills were issued in the Complainant's name, a legal consumer status was established, therefore, BSES has no statutory power under the Electricity Act to "reverse" or "undo" its own administrative action without a court order. It is further submitted that as per the Hon'ble Supreme Court in *Suraj Lamp & Industries (2011)*, a GPA is not a document of title. The complainant holds a registered sale Deed. That the property A-1/3, Bhajanpura, is 100 sq. yds, where priya & Monika own 66.66 sq. yds. And Ritu owns 33.33 sq. yds, The complainant is in physical possession and pays the bills. Reversing the name to Suman Lata who neither owns nor resides there is a violation of the Act.

4. Arguments of both the parties are heard.


5. The Forum has carefully considered the pleadings of the parties, documents placed on record, and submissions advanced during the proceedings.

It is observed that the dispute pertains to change/restoration of name in respect of electricity connection bearing CA No. 153220279 installed at premises no. A-1/3, Gali No.1, Bhajanpura, Delhi-110053. The complainant seeks continuation of the electricity connection in her name, whereas the respondent has submitted that objections were received from the original consumer and other family members regarding the proposed transfer, resulting in generation of a dispute case before completion of the process.

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Secretary
CGRF (BYPL)



 3 of 5

Complaint No. 62/2026

The Forum noted that the respondent has specifically stated that disputes concerning ownership, title, succession, possession, GPA transactions, and inter se family claims are civil disputes which cannot be adjudicated by the distribution licensee. The record further reveals existence of competing claims based upon different title documents and intra-family transfers. The complainant relies upon certain sale/transfer documents, whereas objections have been raised by other claimants disputing such transfer.

The Forum is of the considered view that the respondent, being a distribution licensee, is not vested with jurisdiction to determine validity of title documents or decide disputed questions relating to ownership and possession of immovable property. The role of the respondent in matters of name change is limited to administrative processing subject to absence of serious dispute. Once rival claims and objections are brought to its notice, the respondent is justified in maintaining status quo till the dispute is resolved by a competent Civil Court.

Mere issuance of electricity bills or processing of a name change does not confer ownership rights nor does stop the respondent from correcting an administrative action found to have been processed despite existence of a subsisting dispute.


The Forum also observes that an electricity connection or mutation in utility records neither creates nor extinguishes title in immovable property. Such entries are maintained primarily for billing and supply purposes and remain subject to adjudication of rights by competent courts.

In the present matter, complicated questions relating to title, succession, family settlement, validity of documents, and possession are involved, which cannot be conclusively determined in summary proceedings before this Forum. The appropriate remedy for the complainant is to seek declaration of rights before the competent Civil Court and thereafter approach the respondent with appropriate orders/documents.

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Secretary
CGRF (BYPL)



 4 of 5

Complaint No. 62/2026

6. Accordingly, the Forum finds no deficiency in service or illegality on the part of the respondent in declining to continue the disputed name change in absence of clear and undisputed ownership records.

In view of the facts and circumstances of the case and for the reasons recorded hereinabove, the complaint filed by the complainant is hereby dismissed.


ORDER

The respondent is justified in keeping the request for name change/restoration in abeyance in view of the subsisting dispute relating to ownership and possession of the premises.

However, the complainant shall be at liberty to approach the competent Civil Court for adjudication of her rights and, upon obtaining appropriate orders or undisputed ownership documents, may submit a fresh request before the respondent in accordance with applicable rules and regulations.

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.


(S.R. KHAN) 11/5/26
MEMBER (TECH.)


(P.K. AGRAWAL)
MEMBER (LEGAL)

5 of 5

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