

C A No. Applied For  
Complaint No. 340/2023

**In the matter of:**

Mustakeem Ali .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Shweta Chaudhary, On behalf of BYPL

**ORDER**

Date of Hearing: 05<sup>th</sup> December, 2023

Date of Order: 11<sup>th</sup> December 2023

**Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)**

1. The complainant Mustakeem Ali, applied for new electricity connection vide application no. 8006492258 at premises no. X/365, FF, Ram Nagar, Gandhi Nagar, Delhi-110031, but respondent rejected the application of the complainant for new connection on the pretext of commercial building height more than 15 meters and mismatch between applied address and existing meter address. Complainant submits that he is ready to file an affidavit regarding mis-match of address and Architect Certificate.

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*[Signature]*  
Secretary  
CGRF (BYPL)

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2. OP in its reply briefly submitted that complainant is seeking new electricity connection for first floor of premises bearing no. X/365, FF, Ram Nagar, Gandhi Nagar, Delhi-110031 vide request no. 8006492258 and same was rejected on account of mismatch of address as the meters already existing in the building have different address. Besides this height of the building is more than 15 meters and building is commercial. The building consists of ground, mezzanine plus three floors over it and one guard room. Thus the building has effective six floors including guard room. Following connections are already energized in the applied building.

S.No.	Meter No.	Registered Consumer	Address
1	55157362	Kamal Kumar	X-359, Gali No. 8, GF
2	35625836	Chetna Chawala	X-359, Gali No. 8, Mezzanine
3	55229210	Aridaman Jain	X-359, Gali No. 7, FF
4	55165246	Priya Bajaj	X-359, Gali No. 8, SF
5	55277452	Permod Kumar	X-359, Gali No. 8, TF

OP further added that the applied address is X/365, FF, Ram Nagar, Gandhi Nagar, Delhi-110031 which is entirely different from the billing address of existing connections i.e. X/359, Gali No. 8, Mohalla Ram Nagar, Gandhi Nagar. Complainant has placed on record an undertaking for address mismatch on date 24.07.2023 claiming both address i.e. X/365 and X/359 pertains to same property. Besides undertaking the complainant has to file ownership chain or place any other document to demonstrate that both addresses as detailed herein above pertain to same property.

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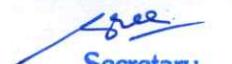
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Secretary  
CGRF (BYPL)

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3. Counsel of the complainant rebutted the contentions of the respondent as averred in their reply and submitted that respondent intentionally rejected the application of the complainant showing alleged reason with the issue of height and address mismatch of the property. He further submitted that the guard room is mandate to exempt on the top floor as per the law keeping in view of the safety and security of the persons. He also submitted that the said property is constructed in two parts at the property bearing no. X-365 and X-359 and there are total nine meters already installed. The complainant is having the documents of first floor of property no. X-365 so the said first floor upon the property no. X-365 applied for new electricity meter in his name and no such meter is installed there upon.
4. To resolve this controversy this Forum vide its order dated 21.11.2023 directed joint physical verification. In pursuance of this direction site inspection was conducted on 24.11.2023 and the observations of the joint inspection team is as under:-
  - a) Applied building is joint building structure and common stair case of address 359 and 365.
  - b) Applied building is two side open from Gali No. 7 and Gali No. 8, but main entrance is from Gali No. 8, which goes to first floor to fourth floor.
  - c) Nine number shops exist at ground floor entry from Gali No. 8 including three number shops on mezzanine floor.
  - d) Seven number shops exist at ground floor and entry is from Gali No. 7, back side.
5. Heard and perused the record.

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6. As per OP it had three objections. Mismatch of address, existence of connection and height more than 15 meters. Joint inspection report dated 24.11.2023 settled mis-match issue by reporting that there is a joint building having premises no. 365 and 359. Further issue of existing connection is also resolved by going through OP's own bill which shows that this connection is installed on premises no. 359 and not 365. So far as issue of height is concerned we find an Architect Certificate dated 25.07.2023 certifying that the height is less than 15 meters. OP has filed no cogent evidence falsifying this certificate.
7. On final hearing dated 05.12.2023, during the course of arguments OP stated that after site verification their objection regarding address mismatch is settled now and they are ready to release the new electricity connection provided the complainant has to submit an affidavit/declaration that property number X/365 and X/359 are joint properties to which complainant commits to place on record such declaration and on 05.12.2023 complainant has filed such affidavit/declaration.
8. In facts and circumstances there remaining no more issue, we don't find any hurdle in granting the complaint.

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*Shri*  
Secretary  
CGRF (BYPL)

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ORDER

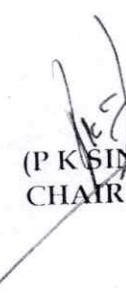
Complaint is allowed. OP is directed to release the new connection applied for vide request no. 8006492258 to the complainant in pursuance of submission of above stated affidavit subject to the condition that in case the statement of complainant in this affidavit is found false and incorrect OP shall be at liberty to disconnect the connection so granted without any notice to the complainant for the same.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.

  
(S.R. KHAN)  
MEMBER-TECH

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(P K SINGH)  
CHAIRMAN

  
(P.K. AGRAWAL)  
MEMBER-LEGAL

  
(H.S. SOHAL)  
MEMBER

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