



C A No. Applied for
Complaint No. 587/2024

In the matter of:

Neha Parveen

.....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. Nishikant Ray, Counsel of the complainant
2. Mr. Akash Swami, Mr. R. S. Bisht & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 7th January, 2025

Date of Order: 20th January, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connections at premises no. TR-151, Gali No. 6, Ramesh Park, Laxmi Nagar, Delhi-110092 vide requests no. 8007218419, 8007218531, 8007218533, 8007218529 and 8007218509. The applications of complainant were rejected by OP on the pretext of address in MCD list, building height more than 15 meters and connection already exists vide meter no. 35972436.

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking four new domestic connections vide request no. 8007218419, 8007218531, 8007218533, 800718529 and 8007218509. The applications of the complainant were rejected on following grounds:

Firstly, the applied address is under MCD booking list dated 12.09.2018 appearing at sl. no. 33, in the name of Tamia, in the shape of unauthorized construction in basement, GF, FF, SF, TF and fourth floor.

Secondly, pending energy dues at the applied premises against CA no. 401635833.

Thirdly, meter already exists vide meter no. 35972436 (NX), is in use.

3. In response to the reply of OP, the complainant filed rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted that the building in question has been constructed in the year 2024 by demolishing the old building. The said building has an old domestic connection vide CA no. 100879285 in the name of Mohd Saqif through which the construction was done and a misuse case is booked by respondent for unauthorized use of electricity. The said bill is settled by the complainant.

4. Heard arguments of both the parties at length.

5. 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:

- a) The complainant has applied for new electricity connections on premises no. R-151, Ramesh Park, Laxmi Nagar, Delhi which OP rejected on pretext of building booked by MCD vide letter no. EE(B)-II/Sh(s)/2018/D-2051 dated 10.09.2018.

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- b) The complainant has admitted in her rejoinder dated 10.12.2024 that her building has old electricity connection having CA no. 100879285 in the name of Shafiq and new building constructed in 2024 by demolishing old building and using electricity connection no. 100879285. Misuse case in 2024 on said C A no. was booked.
- c) The applicant Neha is daughter of Mohd Shafiq whose billing address is R-151, Ramesh Park, Laxmi Nagar, Delhi-110092 vide CA no. 100879285. There was a case of tariff violation recorded by OP and a new CA no. 401635833 was issued on 29.01.2024.
- d) The applicant has not submitted any sanctioned plan or BCC for the newly constructed building. OP had inspected the premises at plot no. R-151, Ramesh Park, Laxmi Nagar, Delhi-110092 vide request no. 8007218419, 8007218531, 8007218533, 8007218529 and 8007218509. The complainant has not pointed out whether the premises are situated in Gali no. 6 or Gali no. 7 at the time of inspection.
- e) It appears that at the time of inspection by the MCD in 2018 the premises were accessible through Gali no. 6 and Gali no. 7 both. The complainant has not provided nay evidence that the applied premises are situated in Gali no. 6 and not Gali no. 7. Hence, the complainant should provide a building plan, sanctioned by the MCD to the OP or a certificate issued by the MCD that this premises has not been booked by the MCD to the OP before the electricity connections are issued to the complainant.

ORDER

Respondent is directed to release the new connection applied by complainant vide applications no. 8007218419, 8007218531, 8007218533, 8007218529 and 8007218509 at premises no. R-151, Ramesh Park, Laxmi Nagar, Delhi-110092, after submission of Building Plan Sanctioned by the MCD or a Certificate issued by the MCD that the premises of the complainant are not booked by MCD and completion of all the commercial formalities as per DERC

Regulations 2017.

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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

on leave


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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