



C A No. Applied for
Complaint No. 160/2025

In the matter of:

Net Ram

.....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)

Appearance:

1. Mr. Vinod Kumar, Counsel for the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 09th September, 2025

Date of Order: 22nd September, 2025

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. The present complaint has been filed by Mr. Net Ram against BYPL-Karawal Nagar.
2. The brief facts of the complaint are that the complainant applied for new electricity connection vide request no. 80750402 at premises no A-15, Nala Road, Ankur Enclave, Near Pole, Delhi-11094.

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It is also his case that his application for new connection was rejected by OP on ground of supply disconnected but PD punch required CA no. 15255518.

3. The respondent in its reply submitted that the complainant is seeking new electricity connection at P.No. A-15, Nala Road, Ankur Enclave, Near Pole -110090, which was declined on the grounds that the applied premises already have a meter bearing no. 35423460 in the name of Yashoda Sharma, which got stolen and meter stolen report was done by the complainant i.e. Net Ram. The meter was stolen in the month of July 2022 whereas the NCR was report by the complainant in December 2022. The NCR for the stolen meter done by the non-related party that too after five months of the alleged offence itself raises serious suspicion.

Moreover, PD punch of the meter is required.

Secondly, OP objects that pendency of ownership dispute. The complainant has concealed the facts that one title suit going in Civil Court vide CA no. 558/2018 and it was also observed that "both the parties has produced unregistered GPA qua the same property one being filed by Net Ram and another filed by Yashodha Sharma.

4. The complainant filed rejoinder refuting there in the contentions of respondent as averred in their reply and submitted that teh complainant is owner of property bearing no. A-15, Khasra No. 21/3/1/2, ground floor, Nala Road, Ankur Enclave, Karawal Nagar, Shahdara, Delhi-110094 by virtue of title documents. Rejoinder further submitted that Smt. Yashoda Sharma possessed the subject property illegally and unlawfully and in this regard, the complainant had intentionally made a complaint for illegal possession upon the aforesaid property and she had also applied for electricity connection which was released in the year 2018 vide meter no. 35423460.

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The said Yashoda Sharma filed copy of GPA at the time of release of new electricity connection in her name. In the said GPA Yashoda Sharma purchased the property from Ved Prakash Sharma and the documents which the complainant posses does not have the name of Ved Prakash in the entire chain of property.

Rejoinder further stated that the new electricity connection in the name of Yashoda Sharma got stolen and the NCR for the same was made by the complainant i.e. Net Ram on the suggestion of OP.

5. Arguments of both the parties were heard.

6. From the narration of facts and material placed before us we find that application of the complainant for new electricity connection was not processed by OP citing that already a connection in the name of Yashoda Sharma exist at the applied premises and the said meter is now stolen for which the complainant has made a NCR and that too after a period of almost 5 months. There is no relationship proof between Yashoda Sharma and Net Ram.

We also find Two Judgments on record one of the Civil Suit before Administrative Civil Judge, North East District, KKD, Delhi and other before the Sub-Divisional Magistrate, Karawal Nagar, North East District.

The Civil Suit before Administrative Civil Judge was filed in the year 2018 by Smt. Yashoda Sharma (Plaintiff) against Sh. Ved Prakash Aggarwal and Sh. Neeraj Aggarwal (Defendant no. 1 & 2). The Civil Judge vide its order dated 20.03.2019, stated that plaintiff had purchased the suite property through unregistered set of documents and had also taken the possession of the suit property.

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In order to prove her possession, apart from possession letter, plaintiff has also relied upon electricity bill, which further corroborates the oral testimony of the plaintiff. The possession letter electricity bill shows that the plaintiff is in possession of the suit property. The copy of the complaint filed by the plaintiff further gives credibility to the case of the plaintiff that she is in possession of the suit property and defendant no. 1 and 2 through their associates had put lock over the lock of the plaintiff. Since, testimony of the plaintiff has remained un-rebutted as defendant no. 1 and 2 did not bother to file WS and cross-examine the witness, there is no reason to disbelieve the testimony of the plaintiff. Accordingly, the suit of the plaintiff is decreed for relief of mandatory injunction. Accordingly defendant no. 1 and 2 are directed to remove their lock over the suit property.

The other relief which is being sought by the plaintiff is the relief of permanent injunction, directing defendant no. 1 and 2 not to sell the suit property. There is no averment in the plaint or in the evidence of plaintiff that defendant no. 1 and 2 want to sell the suit property..... Although the plaintiff has also right to property her possession by virtue of GPA for consideration over the suit property, but without registered sale deed, she cannot claim herself to be absolute owner of the suit property. Accordingly, in the facts and circumstances of the present case, relief of permanent injunction cannot be granted in favour of the plaintiff.

Other judgment in the Court of Sub-Divisional Magistrate, Karawal Nagar, filed by Net Ram (the complainant in the present complaint also) Vs. Yashoda Sharma. The SDM vide its order U/S 145 Cr. P. C. dated 18.05.2022, concluded that "on perusal of the written submissions of both the parties, it is observed that the respondent no. 1 namely Sh. Net Ram has prayed the Hon'ble Court to decide the matter on the basis of title of the said property.

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There is such dispute is likely to cause breach of peace. The issue framed here is to first decide the title of the said property. Both the parties have produced the unregistered GPA of the same property. The main issue is to first declare the title of the said land which is a Civil Matter.

Further the respondent no. 2 has already filed a Civil Suit vide Suit no. CS no. 558/2018 for declaration of permanent injunction and mandatory injunction against other parties namely a property dealer Sh. Ved Prakash Aggarwal and Neeraj Aggarwal regarding same property in question. In the said judgment dated 20.03.2019, the Hon'ble Court has decide partially decided mandatory injunction but nor permanent injunction in favour of Smt. Yashoda Sharma.

In view of the above mentioned fact and legal position, the proceeding of Section 145 Cr PC is being discontinued. The provision of Section 145 Cr PC does not confer the authority to the undersigned to decide the matter of declaration of title of the property. Therefore, the matter is be disposed of due to want of jurisdiction of the undersigned to decide the issue framed in the present matter."

7. On the basis of the above stated Court orders, it is transpired that there is property dispute among the complainant Sh. Net Ram and Smt. Yashoda Sharma. The complainant has filed property chain which shows that the complainant is owner of the subject property since August 2013, but has not placed on record any document to prove that he is staying at the subject property. There was no proof placed on record by the complainant proving his occupancy from 2013 till date. Neither any water connection nor any electricity connection details are placed on record by the complainant.

The orders of Hon'ble Civil Court show that Smt. Yashoda Sharma is in possession of the subject property.



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8. In view of the above, we are of considered opinion that there is property dispute between the complainant and Smt. Yashoda Sharma, therefore granting new electricity connection to the complainant on the same premises where already one electricity connection in the name of Yashoda Sharma is still exist.

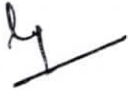
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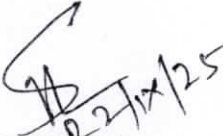
Complaint is rejected. OP has rightly rejected the application of the complainant for new connection.


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.


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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