



C A No. Applied for
Complaint No. 258/2025

In the matter of:

Nitin JhamtaniComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, (Chairman)
2. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. I U H Siddiqi, Counsel for the complainant
2. Mr. Harshit Bhasin, Mr. R.S. Bisht, Mr. Akshat Aggarwal & Ms. Jyoti Sharma, On behalf of BYPL

ORDER

Date of Hearing: 2nd December, 2025

Date of Order: 4th December, 2025

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

1. The present complaint has been filed by Mr. Nitin Jhamtani against BSES YPL-Laxmi Nagar.
2. The brief facts of the grievance are that the complainant applied for new electricity connections vide request no. 8007633258 at premises no. D-55-A, Gali no. 3, Laxmi Nagar, Delhi-110092. The application of the complainant for new electricity connection was rejected by OP on grounds of MCD booking and dues at site.

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CGRF(BYPL)

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3. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new electricity connection under DX category at property bearing no. D-55-A, Ground Floor, Gali no. 3, Laxmi Nagar, Delhi vide request no. 8007633258. The application of the complainant for new electricity connection was rejected as the address of applied site is reflecting in MCD objection list for unauthorised construction, which is reflected in letter dated 14.07.2020 received on 28.07.2020. Applicant's property appearing at sl. No. 49 of the said list. Therefore for grant of new electricity connection MCD NOC or completion and occupancy certificate is required.

Reply further submitted that there are pending dues in respect of disconnected connection having CA no. 10875734 and the complainant has to clear the pending dues of Rs. 3541/-.

4. The counsel for the complainant did not file rejoinder.

5. Regarding pending energy dues, both the parties were directed to conduct joint site visit. Joint site visit report filed by OP stated that the complainant's building is ground plus three floors. There is multiple address of D-55/A, in Gali no. 3. So dues are of other site.

6. Arguments of both the parties were heard.

7. From the narration of facts and material placed before us we find that the application of the complainant for new electricity connection was rejected by OP on grounds of MCD booking and the recent Judgment of Hon'ble Delhi High Court vide no W.P. (c) 7618/2023 & CM appl. 29530/2023, CM Appl. 70837/2025 dated 13.11.2025 has held as under

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"19. Thus, considering the detailed discussion hereinabove, this Court is of the view that there is no impediment with the petitioner company to grant or continue with electricity connection in the premises, where such premises are booked for unauthorized construction. However, as and when MCD takes any coercive action against such properties, which are booked for unauthorized construction, the MCD shall duly intimate the concerned electricity companies, in that regard.

20. The electricity company shall be free to disconnect the electricity connection, as and when such request or direction is given by the MCD, at the time of taking action against the unauthorized construction in the properties in question.

The Government of National Capital Territory of Delhi (Department of Power) vide their circular no. E.11/2025/Power/7091-97 dated 17.11.2025 also directed DISCOMs to not to deny or discontinue electricity supply in premises merely because the property is booked for unauthorized construction.

To disconnect electricity only upon receiving formal intimation from MCD at the time of demolition/sealing action.

Regarding pending dues, OP stated that the dues pertain to other property and not to the complainant's premises. Therefore, same are not payable by the complainant.

8. In view of the above directions of Hon'ble High Court of Delhi and notification from Govt. of NCT of Delhi, we are of the opinion that the new electricity connection to the complainant cannot be denied. Therefore, OP should release the electricity connection to the complainant as applied for by him.

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ORDER


The complaint is allowed. OP is directed to release the new electricity connections as applied for by the complainant vide request no. 8007633258 at premises no. D-55-A, Gali no. 3, Laxmi Nagar, Delhi-110092 after completion of other commercial formalities as per DERC Regulations 2017. The complainant is further directed to file an affidavit/undertaking stating that if any authority/department takes any action against the property of the complainant OP should be free to take action as per law.

OP is further 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.


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


(P.K. SINGH)
CHAIRMAN

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