

**C A No. Applied for**  
**Complaint No. 357/2024**

**In the matter of:**

Pawan Singh

.....Complainant

**VERSUS**

BSES Yamuna Power Limited

.....Respondent

**Quorum:**

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. H.S. Sohal, Member

**Appearance:**

1. Mr. Pawan Singh, Complainant
2. Mr. Akash Swami, Mr. R.S. Bisht & Mr. Akshat Aggarwal, on behalf of respondent

**ORDER**

Date of Hearing: 06<sup>th</sup> January, 2025

Date of Order: 09<sup>th</sup> January, 2025

**Order Pronounced By:- Mr. H.S. Sohal, Member**

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection at premises no. H.No.-15, Kh. No.-165, Ground Floor, Near Mother Dairy, Main Mangal Bazar Road, Chouhan Patti, Sabhapur, Delhi-110094, vide requests no. ONKWR1204240850. The application of complainant was rejected by OP on the pretext of Applied Address ID Proof Required, but complainant stated that he has submitted all necessary required documents along with Adhar Card etc.

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CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking for new connection at the premises no. H.No.-15, Kh. No.-165, Ground Floor, Near Mother Dairy, Main Mangal Bazar Road, Chouhan Patti, Sabhapur, Delhi-110094, vide request no. ONKWR1204240850. The application of the new connection was rejected on account of ID proof pertaining to the address of the applied site is required which was not furnished by the complainant. Complainant is relying upon the title documents wherein the description of the property stated is as follows: "KH. No. 165, VILL. SABHAPUR, CHOUHAN PATTI, DELHI" but nowhere corresponds with the address mentioned in the complaint i.e. Ground Floor. Hence the title documents are inconsistent and cannot be relied upon and accordingly the complaint needs to be dismissed.

OP submitted that the primary condition seeking for release of new connection is title documents but, in the present, the said title documents are itself defective, untenable and unconnected.

3. Complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that there is one domestic connection installed in this premises in the name of Anil Kumar S/o Inder Raj, who is the previous owner. The actual owner of this premise is my uncle. I have taken NOC from them and applied the commercial connection (NX) for the purpose of the Mother Dairy. Complainant has three registered GPA (Complete Property Chain). Rejoinder further added that this premises is in a village where the premises are identified by Khasra no. and not by House no. and the respondent has given many domestic and commercial connections on Khasra no. 167, in which there is no mention of house no.

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4. To confirm the statement of counsel of the complainant both the parties were directed to conduct joint site visit report on 22.10.2024:-
  - a) Applied Building structure Ground Floor only.
  - b) One DX meter already exists but no DX activity found.
  - c) There is a dairy shop on the ground floor and wooden work found at site.
  - d) Required category change of existing meter.
5. Heard arguments of both the parties.
6. From the narration of facts and material placed before us we find that the complainant applied for new connection which OP rejected on pretext of the Address ID proof required. The Forum found that the premises no. H.No.-15, Kh. No.-165, Ground Floor, Near Mother Dairy, Main Mangal Bazar Road, Chouhan Patti, Sabhapur, Delhi-110094 is in rural/village area where there is no specific house no. and it is identified by Khasra no. in the revenue records. During the course of argument, complainant is directed to file NOC of the brothers. Complainant has file NOC of the all brothers which has been verified by OP.
7. Water and electricity is integral part of right of life. Hon'ble Supreme Court in the matter of Dilip (dead) LR Vs Satish, in the case no. SSC 810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.

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8. In the facts and circumstances aforesaid, we are of the view that the respondent may be directed to provide the connection.

ORDER

The complaint is allowed. Respondent is directed to release the new connection applied by complainants vide application no. ONKWR1204240850 at premises no. H.No.-15, Kh. No.-165, Ground Floor, Near Mother Dairy, Main Mangal Bazar Road, Chouhan Patti, Sabhapur, Delhi-110094 after completion of all the commercial formalities as per DERC Regulations 2017.


This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

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

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

  
(P.K. SINGH)  
CHAIRMAN

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