



Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act. 2003)

Sub-Station Building BSES (YPL) Regd. Office Karkardooma,

Shahdara, Delhi-110032

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SEC Y/CHN 015/08NKS

C A No. Applied for Complaint No. 197/2025

In the matter of:

Pooja Jain

.....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. Sudeep Jain, Counsel for the complainant
2. Mr. Harshit Bhasin, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 26th August, 2025

Date of Order: 17th August, 2025

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

1. The present complaint has been filed by Ms. Pooja Jain against BYPL-Laxmi Nagar.
2. The brief facts of the complaint are that the complainant applied for new electricity connection vide request no. 8007531753 at premises noD-123-B, GF, Shakarpur, Arya Samaj Road, Laxmi Nagar, Delhi-110092.

Attested True Copy

Secretary
CGRF (BYPL)

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It is also her case that her application of new connection was rejected by OP on grounds of MCD objection and of NOC or completion and occupancy certificate and ownership dispute.

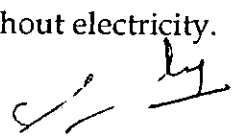

3. The respondent in its reply submitted that the complainant is seeking new electricity connection at ground floor of premises no. D-123-B, Shakarpur, Delhi-110092 vide request no. 80075317536.

It is also submitted in reply that there already exists an electricity meter bearing no. 11433980 with CA no. 101034672 in the name of Surender Kumar. It is also mentioned in the reply that the complainant purchased the property in question from Sh. Amit Kumar s/o Sh. Surender Kumar vide sale deed dated 28.02.2025. The contents of sale deed filed by the complainant specifically mentioned that the vendor is selling the entire ground floor measuring 20 sq yards consisting of one room set fitted with electricity and water tap connections with their separate meters etc. Further, the reply stated that the property comprises of four floors and all the floors in the building have electricity connections. First floor, second floor and third floor have electricity meter in the name of Amit Kumar and one no floor connection also exist in the building in question. The application of the complainant for new connection was also rejected as the building where new connection has been sought by the complainant is booked by MCD for unauthorised construction which is as per the online status of the same downloaded from the MCD website.

4. The complainant in its rejoinder submitted the "no floor connection in the building does not belong to her and her property address is D-123-B whereas OP is relying on MCD objections relating to D-123 which does not figure in any such MCD unauthorised construction list. The complainant further stated that he is owner of 20 sq yard flats with its own entrance, kitchen and toilet forming part of the larger 57 sq yards plot."
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5. Arguments of both the parties were heard.
6. From the narration of facts and material placed before us we find that the application of the complainant for release of new electricity connection was rejected by OP on grounds of meter already exists and MCD booked premises. Against both the objections of OP following observations are made by the forum:
 - a) The complainant purchased 20 sq yard of property out of total 57 sq yards which is mentioned in the rejoinder filed by the complainant and also the Inspection Report of OP shows that the portion of the complainant is part of the building structure at ground floor.
 - b) The alleged no floor connection which OP said is used by the complainant is being used at the other portion on the ground floor. Therefore, this objection of OP does not sustain here.
 - c) The OP has shown list of MCD booking of property no D-123. The subject property was booked multiple times but which booking pertains to the complainant is not clear. To clear this confusion, OP wrote to MCD and till date has not received any response from MCD in this regard.
 - d) The site visit report dated 25.08.2025 filed by OP shows that there are three premises having address D-123-A, D-123-B and D-123, and the MCD booking list filed by OP clearly shows that the premises no. D-123 is booked multiple times by MCD and the complainant has applied for new electricity connection on premises no. D-123-B.
 - e) Already there are connections in all the three buildings released by OP. The complainant's portion is without electricity.

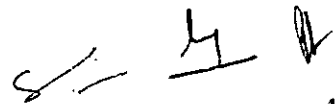
 

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- f) OP has released connections in the applied building of the complainant, which shows that OP itself is not sure which part is booked by MCD. Therefore, in the absence of authentic documents, new connections cannot be denied to the complainant.
- g) Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 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.
- h) We are of the view that the respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant should file an affidavit that if MCD takes any action against the encroached property then OP should be at liberty to disconnect the supply of the complainant.

ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant vide application no. 8007531753 at premises no. D-123-B, ground floor, Shakarpur, Arya Samaj, Laxmi Nagar, Delhi-110092 after completion of all the commercial formalities as per DERC Supply Code 2017 and after giving the undertaking regarding the fact that whenever MCD in future will take action against the illegal construction, OP is free to disconnect the new electricity connection.



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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