

C A No. Applied for  
Complaint No. 290/2024

In the matter of:

Poonam Arora .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A. Alvi (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)
5. Mr. H.S. Sohal, Member

Appearance:

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

ORDER

Date of Hearing: 20<sup>th</sup> August, 2024

Date of Order: 27<sup>th</sup> August, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for four new electricity connections at premises no. 7/308-B, UGF, FF, SF, TF, Lalita Park, Kh. No. 19, Laxmi Nagar, Delhi- 110092, vide requests no. 8006929592, 8006929571, 8006929557 and 8006929547. The application of complainant was rejected by OP on the pretext of Dues at Site, but Complainant stated her application for new connections has been rejected on false ground.



  
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2. The respondent in reply briefly stated that the present complainant has been filed by complainant seeking domestic connection for the premises bearing address and application no. being tabulated herein below:

S.NO.	APPLICATION NO.	ADDRESS OF THE PREMISES
1.	8006929547	7/308-B, UG/F, Lalita Park, Kh. 19, Laxmi Nagar, Delhi-110092
2.	8006929557	7/308-B, F/F, Lalita Park, Kh. 19, Laxmi Nagar, Delhi-110092
3.	8006929571	7/308-B, S/F, Lalita Park, Kh. 19, Laxmi Nagar, Delhi-110092
4	8006929592	7/308-B, T/F, Lalita Park, Kh. 19, Laxmi Nagar, Delhi-110092

Upon inspection, it was discovered that there exists pending energy and enforcement dues at the site which needs to be cleared before the connection can be granted. Firstly, there are same site enforcement dues against CA No. 400034613 & CA No. 101655087. It is pertinent to mention here that enforcement due against CA No. 401651283 have already been paid by the complainant. Secondly, there are same site energy dues against CA No. 101081354 & CA No. 100944069 and the Prorata share of amount to be paid by the complainant is Rs. 1861/-. Thirdly, there is pendency of the bill against CA No. 100896132 present at the applied premises as the bill has not been paid since last three months.

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3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the respondent company demanded dues in respect of CA No. 401655087 misuse bill amounting to Rs. 19,465/- and another bill of CA No. 100896132 as well as CA No. 101081354 for which the complainant is ready to settle the same with the respondent company as the same belongs from complainant's premises. It is further submitted that the other bill of CA No. 100944069 which is final bill amounting to Rs. 11,170/- and bill of CA No. 400034613 amounting to Rs. 9,799/- does not pertain from the complainant in any manner.

4. Heard arguments of both the parties at length.

5. From the narration of facts and material placed before us we find that for release of new electricity connection OP has demanded certain dues from the complainant. The complainant agreed to pay the dues of CA no. 401655087, CA No. 100896132 and CA no. 101081354 which belongs to his premises having address 7/308-B, UGF, Lalita Park, Kh. No. 19, Laxmi Nagar, Delhi-92.

Regarding the dues of other connections vide CA no. 100944069 and 400034613, which pertains to property no. 7/308, Lalita Park, Laxmi Nagar, Delhi-92, the complainant vehemently denied that these dues pertain to other's property and he has no concern with these dues and would not pay the same.

6. In this regard, the property chain submitted by the complainant on record was perused and it was found that the premises of the complainant having no. 7/308-B is of 48 sq yards, and the property chain also shows this address came into existence since April 1988. In the year 1971 the entire plot measuring 300 sq yards was purchased by one Mohd Saeed.

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Thereafter, in the year 1988, Mohd Saeed sold 48 sq yards to one Smt. Kamla Garg, since then this property having no. 7/308-B is in existence. These documents also shows that that in the East, West and South of this property there exists remaining portion of the entire plot of 300 sq yards.

7. In view of the above facts, we are of considered opinion that the property of the complainant is entirely different from property no. 7/308, whose dues are being claimed by OP from the complainant for release of new electricity connection. Therefore, the dues of property no. 7/308 are not recoverable from the complainant.

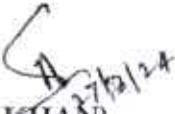
ORDER

The complaint is allowed. The complainant is directed to clear the outstanding dues of CA no. 401655087, CA N. 10096132 and CA No. 101081354 pertaining to his property i.e. 7/308-B. OP is further directed to release the new connection to the complainant subject to payment of aforesaid dues and completion of other commercial formalities as per DERC Regulations 2017.

OP is also directed to file compliance report within 21 days from the date of this order.

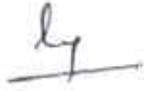
**The case is disposed off as above.**

No order as to the cost. Both the parties should be informed accordingly.  
Proceedings closed.

  
(S.R. KHAN)  
MEMBER-TECH

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(P.K. SINGH)  
CHAIRMAN

  
(P.K. AGRAWAL)  
MEMBER-LEGAL

  
(H.S. SOHAL)  
MEMBER