

C A No. 100684945
Complaint No. 206/2024

In the matter of:

Pradeep KumarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Ms. Priyanka & Ms. Ritika, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R. S. Bisht, Mr. S.P. Anand & Ms. Chhavi Rani On behalf of BYPL

ORDER

Date of Hearing: 06th August, 2024

Date of Order: 20th August, 2024

Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)

1. Present complaint has been filed by Mr. Pradeep Kumar against BYPL-Krishna Nagar. The brief facts of the case giving rise to this grievance are that there was no bill pending on the connection vide CA No. 100684945 installed at his premises no. H. No. 119/2, Gali No. 15, Shastri Nagar, Delhi-110031. But officials of the respondent disconnected the service line of his meter from the pole, without notice and/or prior information to him.

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But his complaint was not redressed and complaint to this effect was made by him to Krishna Nagar office of OP on 21.06.2023. Despite all this OP is not restoring service line even after receiving his complaint. Complainant has prayed that the OP may be directed to restore his service line.

2. The respondent in reply briefly stated that the complainant is seeking reconnection of disconnected service cable of CA No. 100684959 installed at premises bearing no. 119/2, Gali No. 15, Shastri Nagar, Delhi-110031 in name of Mr. Ram Sarup Harpal Singh. As the complainant is not a registered consumer of the electricity connection involved he has no locus standi to file the present complaint. Legally speaking the agreement between the consumer and Discom has come to an end as no whereabouts of registered consumer are known to OP. The factual matrix of the case is under:

Electricity connection involved is CA No. 100684945 registered in the name of Mr. Ram Sarup Harpal Singh for DX category.

The said connection is a very old connection having no date of energization mentioned on bill. The meter was changed on 21.10.2022 as meter was burnt and it was only on the insistence of the complainant that the meter was installed inside the premises, on his complaint that some third party deliberately wants to harass and trouble him and has also burnt the meter, while there has been no/or negligible consumption since June 2023. At the time the complainant was advised to get the connection transferred in his name which he assured but failed to do the same. OP is not even aware as to the current status of the registered consumer. Thereafter meter reading was regularly downloaded. As apparent from meter reading which till the last reading on 20.05.2023 was only 1 i.e from 21.10.22 till 20.05.2023 there was consumption of only one unit in seven months.

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In June 2023, when the meter reader of OP visited the premises he found the service line disconnected. The complainant was asked to get the same restored by submitting self attested copy of his Aadhar card as connection is not in his name. No request was made by the complainant for reconnection of electricity supply. As a consequence no reading was downloaded post May 2023 and service line disconnected was punched in system in November 2023 on the basis of noting dated 17.10.2023 of the line man. Thereafter on 12.01.2024 complaint was received on behalf of the complainant which was duly replied on 19.01.24 whereby he was advised to get his meter shifted outside as his premises were not in use as also apparent from reading chart.

While the matter was listed for filing the reply on 14.05.2024 consumer was duly provided with the contact number of official at division Krishna Nagar and he was informed that his connection would be restored as of now and he should let the line man take the reading of meter which was last taken on 20.05.2023. The consumer however did not visit the division office and now insists that he will not get his meter shifted outside and will not get the same restored till his demand for compensation is met.

As earlier the consumer on 14.05.2024 had confirmed that he would visit the division and get meter shifted outside, subject to only condition that he would not be required to pay any charges towards shifting. Accordingly the official was contacted in front of complainant who assured that no charges will be charged towards shifting and asked complainant to visit with self attested copy of Identity Card which he readily agreed. As such no reply was filed earlier as the issue involved is restoration for which the OP has never objected.

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3. Counsel of the complainant in its rebuttal refuted the contentions of OP as averred in their reply and submitted that the last bill was paid by the complainant was on 04.05.2024. It is submitted that the respondent without intimation disconnected the meter service cable. The meter was installed inside the premises and the complainant has never asked the respondent to install the meter inside the house but the respondent on its own installed the meter inside the house. The respondent never advised to get the connection transferred in the name of complainant. It is not denied that the last reading was done on 20.05.2024. After 20.05.2023 that the service line was disconnected by the respondent without informing the complainant.

Rejoinder further states that the complainant visits the Krishna Nagar Division and was told that there was no service line disconnected from their side. It is submitted that the meter service cable was disconnected in June 2023, but the respondent punched in its record in November 2023. The complainant has filed complaint on 27.12.2023 at BSES Office Krishna Nagar but the concerned department did not accept the complaint. Thereafter the complainant sent complaint via post on 09.01.2024 at BSES Krishna Nagar towards which no reply was sent by the respondent. After that the complainant filed complaint before this Hon'ble Forum on 13.02.2024. Then the frivolous reply dated 19.01.2024 was received by the complainant. It is stated that the respondent is demanding inappropriate money from the complainant to get the meter re-installed/new connection which is illegal. The complainant has no fault in damaged service line. The complainant is not liable to pay any charges of the reinstallation of the meter. It is not denied that the complainant did not visit the division office.





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4. Heard both the parties and perused the record.
5. As per record, we find two questions to be determined for the disposal of this complaint. Firstly, locus standi of the complainant to file the present complaint. Secondly, as to whether it was due to any default on the part of the complainant that the wire connecting the subject meter from pole was removed or not?

So far as the first issue is concerned, although we don't find anything on record to show that the complainant is the owner/purchaser of the subject premises or not but at the same time it is apparent that the OP has been dealing with the complainant as occupant of the subject premises and user of the subject connection therein, it was on the complaint of complainant that OP changed the meter and it was on the request of the complainant that the said meter was installed inside the house of the complainant. Not only this, OP itself states that complainant was asked to get his name changed in place of said Ram Sarup Harpal Singh, shown in the bill as erstwhile consumer whose whereabouts are also not known. Thus the complainant being said occupant and said user has very much locus standi to file present complaint.

Regarding second issue no doubt there was no bill pending against the said connection but it was due to meter being installed inside the premises that OP was handicapped to record reading of the meter as time and again the premises might be locked. Every time whenever, OP had to record reading, it had to request complainant and he did not corporate OP in installing the meter outside the premises while OP was also ready to change his name. Thus there might certainly be conduct of the complainant that lead to removal of wire which as per OP's oral assurance it is ready to restore free of any charge but subject to the

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condition that meter may be installed outside the premises of the complainant. On the basis of above facts we don't find any substance in the request of the complainant demanding compensation of Rs. 1,00,000/- and/or of Rs. 40,000/-.

ORDER

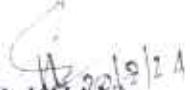
The complaint is allowed with the directions to OP to restore the connection's wire from the pole to the meter of CA no. 100684945 of the complainant, without any charge therefor, with the condition that complainant shall allow the installation of the said meter outside the subject premises.

Both the parties should be informed accordingly.

No order as to any compensation/cost as prayed for by the complainant.

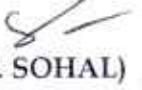
The case is disposed off as above.


(P.K.SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH

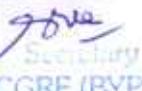

(P.K.AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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Attested True Copy


Secretary
CGRF (BYPL)