



C A No. Applied for
Complaint No. 542/2024

In the matter of:

Rajiv Verma

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Shanky R.S. Gupta, Representative of the complainant
2. Mr. Akash Swami, Mr. R. S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 11th March, 2025

Date of Order: 18th March, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. 26-MIN, First Floor, Khasra no. 175/2, New Modern Shahdara, Delhi-110032, vide request no. 8007096587. The application of complainant was rejected by Opposite Party on the pretext of Address in MCD objection list.

for
Shanky

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Secretary
CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking new electricity DX connection vide request no. 8007096587 for premises bearing no. 26-Min, First floor, Khasra no. 175/2, New Modern Shahdara, Delhi-110032. The application of the new connection was rejected on the grounds that the applied premise is appearing in MCD objection list for unauthorized construction vide MCD letter dated 27.07.2018 appearing at serial no. 224.

Secondly, respondent submits that the title documents submitted by the complainant are inconsistent and untenable in the eyes of law as in terms of the GPA dated 10.03.2010 wherein the applied premises is in favour of Neelam Verma w/o Sh. Sanjay Verma however, the complainant before the Forum is Rajiv Verma who holds no locus.

3. Representative for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that as per OP's reply the booked premise is having address 1/4649/26-A, New Modern Shahdara, Delhi-110032 whereas the complainant's property address is property no. 26, Khasra no. 175/2 of compound no. 1/4649. Rejoinder further stated that compound no. 1/4649 is a huge compound having multiple units. It is also submitted that the booked building structure is G+4 whereas the applied building structure is G+2 which is totally different from the booked building and already one commercial connection at ground floor and one at second floor is installed in the applied premises. The complainant has applied for new connection under domestic category at first floor of subject premises.

4. Heard arguments of both the parties at length.

fr
Shasw

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5. From the narration of facts and material placed before us we find that the application of the complainant for new connection was rejected by OP on pretext of building booked by MCD and locus of the complainant.

Regarding the first objection of the OP, that the building is booked by MCD, in this regard we find that the MCD booking list placed on record by OP is showing unauthorized construction of GF, FF, SF, TF and fourth floor with projection of Mpl. Land (area 85 sq yards). Whereas, according to the IR submitted by OP itself, the subject premises have building structure G+2 and the area of the building is 50 sq. yards, which is entirely different from the booked premises. Hence, the MCD objection does not substantiate in this case.

Regarding the second objection of OP, Locus of the complainant, in this regard the complainant has placed on record NOC from Ms. Neelam Verma in his favour to prove his occupation of the subject property with respect to DERC Regulations 2017.

6. In view of the above, we are of considered that new connection to the complainant cannot be denied. Therefore, 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 in future MCD takes any adverse action against the his property then OP should be at liberty to disconnect the supply of the complaint.

*for
Shankar*

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ORDER


The complaint is allowed. OP is directed to release the new electricity connection as applied for by the complainant vide order no. 8007096587 at premises no. 26-MIN, first floor, Khasra no. 175/2, New Modern Shahdara, Delhi-110032 after completion of other commercial formalities as per DERC Regulations 2017 and submitting the undertaking by the complainant regarding the fact that if in future any authority takes any action, OP will be free to disconnect the new electricity connection without any further notice.


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.


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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