



C A No. Applied for
Complaint No. 34/2025

In the matter of:

Rakesh

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Ms. Sakshi Sharma, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 31st July, 2025
Date of Order: 18th August, 2025

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief facts of the case giving rise to this grievance are that the complainant applied for new electricity connection at ground floor shop of premises no. B-120B, Shop no. 2, Pusta-I, 25 Futa Raod, Sonia Vihar, Delhi-110094. The application of complainant was rejected by Opposite Party (OP) BYPL on the grounds of applied floor connection already exists meter no. 55391192, energy dues against CA. The complainant stated that he is running a shop at the applied premises therefore he applied for new electricity connection under NX category.


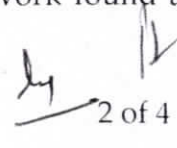
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CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking for new electricity connection for ground floor shop at premises no. Kh. No. 341/342, B-1209-B, old no. 1209/B, Shop no. 2, Pusta-I, 25 Futa Road, Sonia Vihar, Delhi-110094, vide request no. 8007344477. The application of the new connection was rejected on following grounds:
- a) During site inspection it was found that applied floor connection already exists vide meter no. 55391192; hence no separate dwelling unit exists.
 - b) Energy dues against CA no. 35836545 existing at first floor and 55391192 existing at ground floor.
 - c) Fire safety clearance certificate required for building height more than 9 meters (institutional building).
3. Counsel for the complainant filed rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted that the complainant applied for new connection for a shop only at ground floor, the complainant has nothing to do with the coaching institute at the other portion of the property therefore he is not required to file fire clearance safety certificate.
4. Both the parties were directed to conduct joint site visit. The joint visit report stated that already two electricity connections are running in the applied premises one at ground floor and other at first floor. Both the connections are of Commercial (NX) category. There is one more shop at the ground floor. The complainant has applied for shop at ground floor which is separate from the other shop. There are two shops at ground floor and coaching centre in one hall. First floor and second floor also have coaching centre. Construction work found at the terrace of second floor.

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5. OP was directed to file K.No. files of the connections already installed in the subject premises. OP produced GPA submitted earlier while releasing connection in the name Rakesh having CA no. 15472822 and IR against order no. 8005726925. OP also filed copy of an e-mail which stated that at the time of releasing connections in the year 2022 and 2023, OP was not asking for Fire safety clearance certificate in coaching institutions.
6. From the perusal of the site visit report and the documents placed on record it is clear that there is coaching centre running on the different floors of the premises, where electricity connection is energized. The complainant i.e. Rakesh who is owner of the entire building and has applied for separate electricity connection at the ground floor for shop purpose only which is also evident from the photographs submitted.
7. Therefore, we are of considered opinion that the new electricity connection to the complainant cannot be denied. The complainant seeks connection for shop only. Since OP has already released the connections on the floors where coaching centers are running, and regarding fire safety certificate, OP should ask from the owner of the said portions for the fire safety clearance certificate and not from the complainant.

ORDER

Complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no. 8007344477 at premises no. JB-120B, shop no. 2, Pusta-I, 25 futa road, Sonia Vihar, Delhi-110094, after completion of all the commercial formalities as per DERC Regulations 2017.

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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.



(P.K. AGRAWAL)
MEMBER (LEGAL)



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



(P.K. SINGH)
CHAIRMAN

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