

C A No. Applied for  
Complaint No. 268/2025

In the matter of:

Sachin Anand

.....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. Mr. Sachin Anand, Complainant
2. Mr. Jai Singh Rawat, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent.

ORDER

Date of Hearing: 09<sup>th</sup> September, 2025

Date of Order: 16<sup>th</sup> September, 2025

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

1. The present complaint has been filed by Mr. Sachin Anand against BYPL- Darya Ganj.
2. The brief facts of the complaint are that the complainant applied for new electricity connection vide request no. 8007595987 at premises no 4779/23, Darya Ganj, Ansari Road, Right flat, near Chaudhary Eye, Delhi-110002.

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Secretary  
CGRF (BYPL)

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It is also his case that is application for new connection was rejected by OP on ground of address appearing in MCD objection list.

3. The respondent in its reply submitted that the complainant is seeking new electricity connection at 4779/23, 1<sup>st</sup> floor, Darya Ganj, Ansari Road, Right flat, near Chaudhary Eye, Delhi-110002 vide application no. 8007595987 under domestic category.

The application for the complainant was rejected by OP on the grounds of unauthorised construction in the shape of third floor, fourth floor over existing old and occupied basement, ground floor, first floor and second floor.

Reply further submitted that BSES in letter with subject "deployment of police force for Special demolition/sealing programme" dated 25.01.2024 mentioned that the Municipal Corporation of Delhi team has issued notice to first floor and second floor of property no. 4779/23, Daryaganj.

OP further stated that application for new connection would be processed upon providing a No-objection Certificate from MCD or completion and occupancy certificate. Also, a clear copy of ownership proof is also required.

4. The complainant filed rejoinder refuting there in the contentions of respondent as averred in their reply and submitted that MCD letter clearly states that the property no. 4779/23, Ansari Road, Darya Ganj, Delhi-110002 has been booked for unauthorised construction in shape of 3<sup>rd</sup> and 4<sup>th</sup> floor over the existing old and occupied basement, ground floor, first floor and second floor. However, the complainant has applied for electricity connection only for the 1<sup>st</sup> floor which does not fall under the category of unauthorised construction. Rejoinder further submitted that the unauthorised construction pertains to 3<sup>rd</sup> and 4<sup>th</sup> floor only and he has applied for new electricity connection on 1<sup>st</sup> floor.

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The complainant being the owner of the property since 1990 has been residing there, due to children education, he had temporarily shifted outside Delhi for two years. During the period the complainant failed to pay pending BYPL dues, resulting in disconnection of supply.

5. Arguments of both the parties were heard,
6. From the narration of facts and material placed before us we find that application of the complainant for new electricity connection was not processed by OP citing that the premises are booked by MCD. From the perusal of the MCD booking vide order no. D-120 AE (B)/CNZ/2022 dated 15.06.2022 issued by Asstt. Engineer (Bldg.)-III, Central Zone, the details of deviations/unauthorised construction column shows, "Unauthorised construction in the shape of third floor and fourth floor over existing old and occupied basement, ground floor, first floor and second floor. OP has not placed any documentary proof in support of their contention that the other floors of the building i.e. basement + ground floor + first floor and second floor are booked. Therefore, OP's contention that premises are booked by MCD is set aside. MCD itself has cleared in the list that basement + ground + first floor + second floor, is old and occupied.
7. 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.



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8. 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 and the other occupants of the building.

ORDER


Complaint is allowed. Respondent is directed to release the connection applied by complainant vide request no. 8007595987 at premises no. 4779/23, Daryaganj, Ansari Road, Right flat, near Chaudhary Eye, Delhi-110002 after completion of all the commercial formalities 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 connections in the entire building.


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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Secretary  
CGRF (BYPL)