

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma
Shahdara, Delhi-11003
Phone: 32978140 Fax: 22384886
E-mail:cgrfbyp@hotmai.com
SECY/CHN 015/08NK

C A No. Applied for
Complaint No. 37/2023

In the matter of:

Samriti SharmaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Ms. Sakshi Sharma, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Prateek Pahwa, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL
3. Mr. R.N. Dubey, Counsel for respondent no. 2

ORDER

Date of Hearing: 31st March, 2023
Date of Order: 10th April, 2023

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

1. This complaint has been filed by Ms. Samriti Sharma against BYPL-NNG.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Samriti Sharma applied for new electricity connection vide request no. 8006038695, 8006035086, 8006035101 at premises no.

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Secretary
CGRF (BYPL)

C. S. Deekshith *Sh. S. V. S. V.*

Complaint No. 37/2023

B-69, FF, front side, B-block, Gali No. 5, Jyoti Colony, Delhi-110093, but respondent rejected her application of new connection on pretext of property dues. Therefore, she requested the Forum to direct the respondent for release of new electricity connection.

3. OP in its reply briefly stated that the complainant is seeking fresh electricity connections for Upper Ground Floor and first Floor of property bearing no. B-69, Gali No. 5, Jyoti Colony, Delhi vide application no. 8006038695, 8006035086 and 8006035101. The complainant was issued deficiency letter stating therein that on account of property dispute connections cannot be released.

OP further added that they have received one complaint from Rajveer Sharma who has placed on record registered documents in favour of Ramvati in respect of second and third floor of property having area of 150 sq yards and sale deed in favour of Saroj in respect of ground and first floor of same property. The said deeds are of year 2019, whereas the complainant is relying on notarized documents in respect of first floor of property having area of 50 sq yards.

It is also their submission that Rajveer Sharma as attorney of his wife Smt. Saroj Sharma and his aunt Smt. Ramvati has filed one civil suit in respect of the same property claiming to be the owner of Upper Ground floor, first floor, second floor and third floor of subject property having plot area of 150 sq yards.

4. Arguments of both the parties are heard.

S. J. Sachdeva

2 of 4

Complaint No. 37/2023

5. Representative of the complainant submitted that she is in possession of the said property and also have notarized Agreement to Sell dated 12.11.2021. She further submitted that she is also having Delhi Jal Board connection at the same address.
6. LR of the OP submitted that since the matter regarding release of electricity connection is pending in the Civil Court, therefore this Forum has no jurisdiction to entertain the present complaint as the matter is sub-judice.
7. As far as legal position is confirmed according to **THE DELHI ELECTRICITY REGULATORY COMMISSION (Forum for Redressal of Grievances of the Consumers and Ombudsman) REGULATIONS, 2018**
13. **Limitation of Jurisdiction of the Forum** (1) The Forum shall not entertain a grievance if it pertains to the same subject matter for which any proceedings before any court, authority or any other Forum is pending or a decree, award or a final order has already been passed by any competent court, authority or forum.
8. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that the matter is pending for adjudication before the Civil Judge.

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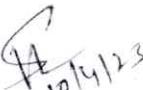
Complaint No. 37/2023

ORDER

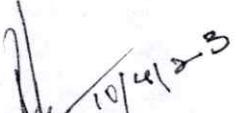
Complaint is rejected. Since the matter is sub-judice before the Civil Judge and as per above stated Regulations, this Forum shall not entertain any matter for which any proceedings before any court, authority is pending.

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

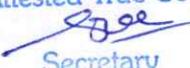

(NISHAT AHMAD ALVI)
MEMBER-CRM


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL


(H.S. SOHAL)
MEMBER

4 of 4

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