

C G R F

B Y P L

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-110032

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C A No. Applied for
Complaint No. 140/2024

In the matter of:

Shahjaha Begum

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A 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. Mr. Subhash, A.R of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Nishant & Ms. Chhavi Rani,
On behalf of BYPL

ORDER

Date of Hearing: 18th July, 2024

Date of Order: 29th July, 2024

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The complaint has been filed by Ms. Shahjaha Begum against BYPL-Krishna Nagar. The brief facts of the case giving rise to this grievance is that the complainant applied for new electricity connection vide request no. 8006761084, at premises no. H.No. 26-A, GF, Street No. 6, Bhagat Singh Road, New Govind Pura, Delhi-110051, but respondent rejected the application of the complainant for new connections on the pretext of MCD Objection, NOC or completion cum occupancy

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Certificate required. The complainant alleges that her building is 15 years old constructed and it's not her building which is booked by MCD. Therefore, she requested the Forum to direct the respondent for release of new connection.

2. OP in its reply briefly stated that the present complaint has been filed by the complainant seeking for one fresh non-domestic electricity connection at ground Floor of property bearing no. H. No. 26-A, Street No. 6, Bhagat Singh Road, New Govind Pura, Delhi-110051 vide application bearing no. 8006761084 and same was rejected as applied address was found in the MCD objection list forwarded to respondent vide letter no. EE(B)-II/Sh(S)/2018/D-4680 dated 08.01.2019, subject property mentioned at serial no. 33. As per said list unauthorized construction is "in shape of room, toilet, S/C etc and projection on Mpl land, GF and FF.

Reply further added that on site visit it was found that the building consists of ground plus one floor over it and on first floor there is electricity connection bearing CA no. 100716807 exists for DX category in the name of Sh. Raj Kumar Mehta. Thus, for release of new electricity connection, the complainant is required to submit either the NOC form MCD or BCC.

The site visit report submitted by OP dated 31.05.2024 shows that there is only one property with number 26-A having building structure ground plus two floors, the right side property is 25-B having building structure ground plus four floors and left side property is marked at A-27 and building structure having ground plus one floor. Site visit report also shows that address and building structure in MCD list is same as that of the applied address.

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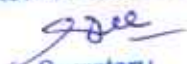
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3. In response to the reply the complainant filed rejoinder. The complainant has applied for a new electricity connection on property bearing address 26-A, GF, Street no. 6, Bhagat Singh Road, New Govind Pura, Delhi-110051, vide order no. 8006761084 however the same was rejected stating that applied address is in MCD objection list, which is wrong and denied. Rejoinder further states that it's the property no. 25-B was originally 26-A which was booked by MCD and later on to evade the MCD liability the property number was changed from 26-A to 25-B, the said property no. 25-B is newly constructed property and property no. 26-A, is old property and has not been constructed for the last 15 years. She also states that her property no. 26-A was lying vacant since 2018 till 2023. Along with rejoinder she also submits property chain of the property in question.
4. During the course of arguments, the complainant insisted that property number 25-B was originally 26-A, but somehow the owner got the property address changed from 26-A to 25-B. K.No. file of the connection released at property no. 25-B was also called.
5. Heard both the parties and perused the record.
6. In the present circumstance, OP has raised deficiency that property of the complainant is booked by MCD and for release of new electricity connection the complainant has to submit NOC from MCD or BCC.
7. From the perusal of the documents placed on record and pleadings made by both the parties it is transpired that the property documents submitted by the complainant of the year 1966 shows that land bearing no. 26-A (present) measuring 100 sq. yards (15' x 60'0 situated at New Gobind Pura Colony, Illaqa Shahdara, Delhi in the

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revenue estate of Village Khureji Khas in the state of Delhi forming part of khasra no. 19/17 and 19/24/1 and is bounded as under:

North: Passage
South: Passage
East: Plot No. 25-B
West: Portion of plot no. 26

Also, the registered property documents of Shahjaha Begum dated 24.07.2023 shows, that in the east property no. 25-B is situated. The site map along with registered deed shows property no. 25-B in the East.

We also perused the property documents of property no. 25-B, which is a registered sale deed dated 10.08.2018 and MCD booked premises no. 26-A on 27.12.2018/08.01.2019. Therefore, the contention of the complainant that property no. 26-A was renamed as 25-B is wrong and the contention of the complainant that property no. 25-B is actually 26-A which is booked by MCD is denied.

8. From the above, it is clear that the contention of the complainant that property number 26-A is re-numbered as 25-B is unjustified. Thus it is clear that it is the property of the complainant only which is booked by the MCD. Therefore, in view of the above, we are of considered opinion that the new connection to the complainant cannot be granted. The complainant failed to prove her contention that the building which is booked by MCD is not his building.

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9. In view of the above, we are of considered opinion that the complainant failed to prove her contention that 25-B is actually 26-A which is booked by MCD and its not her building which is not booked by MCD.


ORDER


The complaint is rejected. OP has rightly rejected the application of the complainant for new connection.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.


(NISHAT A ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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