

C A No. Applied for  
Complaint No. 89/2025

In the matter of:

Shamim Bano .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Ms. Sakshi Sharma, Counsel 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: 24<sup>th</sup> July, 2025

Date of Order: 28<sup>th</sup> July, 2025

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

1. The brief facts of the grievance are that the complainant applied for new electricity connection vide request no. 8007151729 at first floor of premises no. B-28-29, Gali No. 1, Welcome, Seelampur, Delhi-110053. The application of the complainant for new connection was rejected on the grounds of "Ownership dispute or Court Case and legal dispute at site."

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2. The respondent in its reply against the complaint of the complainant submitted that the complainant is seeking new DX connection at first floor of premises bearing address B-28 & 29, Gali no. 1, Welcome, Seelampur-IV, Delhi-1110053 vide application no. 8007151729. The application of the complainant was declined due to following reasons:
- a) Legal dispute at the applied site CS no. 62/2022 titled as Abdul Haseem @ Haseeb Vs BSES YPL.
  - b) Complainant did not allow the TFE to conduct the complete site visit.
  - c) Valid and legible title document required.
  - d) Multiple enforcement dues at the applied site.
3. The counsel for the complainant in its rejoinder refuted the contentions of respondent as averred in their reply and submitted that the complainant and her relatives have already amicably settled the legal dispute. She further submitted that the complainant is ready to submit the requisite dues to the respondent and requested for release of new domestic connection as she is facing much difficulty due to non-availability of electricity connection.
4. During the course of hearing, OP placed on record copy of Civil Suit no. 62/2022 between the complainant i.e. Ms. Shamim Bano and BSES YPL, for release of new electricity connection where Hon'ble Civil Judge has already decided the matter in favour of BSES. The Judgment read as under:

"Therefore, in conclusion, the plaintiff has miserably failed to prove her case and her entitlement for the grant of a new electricity connection vide mandatory injunction in view of pendency of outstanding dues. Accordingly, the present issue is decided in favour of the defendant and against the plaintiff. It is held that the plaintiff is not entitled to the mandatory injunction, as prayed for."

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5. From the perusal of said orders of the Civil Judge, we are of considered opinion that the matter has already been decided by other Court or Forum; it is covered under Res-judicata which is codified under Section 11 of the Civil Procedure Code, 1908.


Since the matter is already decided, this Forum has no jurisdiction to entertain the present matter.

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.)

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