

C A No. Applied For
Complaint No. 596/2024

In the matter of:

ShehnaazComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

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: 13th May, 2025

Date of Order: 02nd June, 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 vide request no. 8007227719 at premises no. 2590, ward no. XI, Kucha Chellan, Daryaganj, Delhi-110002, but respondent rejected the application of the complainant for new connection on grounds of address in MCD objection list for polluting unit/unauthorized construction and dues of CA no. 100362035.

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2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking electricity connection at first floor of premises bearing no. 2590, ward no. XI, Kucha Chellan, Darya Ganj, Delhi-110002 vide application no. 8007227719. The application of the complainant was rejected on following grounds:
 - a) No valid title documents filed by the complainant, which is violation of Regulation 10 of DERC Supply Code. OP further added that the complainant is relying upon one alleged title document issued by Mohd Sahil in favour of Mohd. Akhtar, but there is nothing on record to connect the same with the complainant.
 - b) Applied address is under MCD booking list dated 13.09.2015 at sr. no. 44, in the name of Sh. Iqbal/owner/builder in the nature of unauthorized construction on entire fourth floor.
 - c) Multiple energy dues pending at the applied premises.
3. In response to the reply the complainant filed rejoinder and submitted that OP has already given many new domestic connections on the subject premises in the year 2024 even after MCD booking. Regarding the pending dues the complainant already had paid all the pending dues.
4. OP has also objected that the connection applied for is in the name of Ms. Shehnaz whereas there is no document on record to show her ownership/occupancy. In support of their claim the complainant submitted ownership documents of her son and also a NOC from her son in her favour for release of the new electricity connection in her name.

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Secretary
CCRF (BYPL)

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5. During the course of arguments it was revealed that regarding the MCD objection in the subject premises the earlier connections released by OP in the subject premises is on the basis of BCC. The BCC is also placed on record and it shows that the BCC was issued against subject premises on 06.07.2023 and OP has released multiple connections on the basis of said BCC. The OP objected that the Architect issued the BCC is debarred. From the perusal of the BCC it is transpired that the said BCC was issued on 06.07.2023 and the Architect Neeraj Kumar who issued the BCC is not debarred instead his registration was to be expired on 31.12.2023. Thus the OP's contention that the Architect is debarred cannot be considered.
6. The counsel of the complainant filed withdrawal letter on 19.05.2025, the said withdrawal was not accepted as it withdrawal letter does not contain signature of the complainant.
7. From the narration of facts and material placed before us we find that OP has released many connections on the basis of BCC issued on 06.07.2023. Therefore, OP should release the new electricity connection as applied for by the complainant on the basis of said BCC.

ORDER

Complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no. 8007227719 at premises no. 2590, Ward no. XI. Kucha Chellan, Daryaganj, Delhi-110002, after completion of all the commercial formalities as per DERC Regulations 2017.

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Secretary
(S/EL)

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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.


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.R. SINGH)
CHAIRMAN

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Secretary
CGRI (BYPL)