



C A No. Applied for
Complaint No. 482/2024

In the matter of:

Shiva Rani

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 06th January, 2025

Date of Order: 08th January, 2025

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

1. The brief fact of the case giving rise to this grievance is that the complainant applied for a new electricity connection at premises no. 10409, GF, Gali No. 1, Bagichi Allauddin, Motia Khan, Multani Dhanda, Paharganj, Delhi-110055, vide request no. 8007097148. The application of complainant was rejected by OP on the pretext of dues at site and there are two units at ground floor and two meters already exists at site.

Attested True Copy

Secretary
CGRF (BYPL)

1 of 3

Complaint No. 482/2024

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking new electricity connection under commercial category at ground floor of the property bearing no. 10409, Gali no. 1, Bagichi Alludin, Motia Khan, Multani Dhanda, Paharganj, new Delhi-110055 vide application no. 8007097148. The application of the new connection was rejected on the following grounds
Firstly, on the applied premises i.e. GF there is already an existing meter. Hence, there is no feasibility for grant of new connection.
Secondly, there exist same site energy dues and the complainant needs to clear the pending energy dues against the applied premises.
3. The complainant filed rejoinder refuting therein the contentions of respondent as averred in their reply and stated that they don't have any objection in making payment of the pro-rata bill. The complainant has also stated that the entire building is G+3 structure having five connections. On ground floor there are two shops, first floor two dwelling unit, one unit each on second and third floor, making total 6 units whereas only 5 electricity connections exists in the building.
4. Arguments of both the parties were heard.

From the narration of facts and material placed before us we find that the complainant is owner of the entire ground floor via Registered sale deed dated 13.03.2023. As per the sale deed the complainant purchased one shop (eastern side portion) measuring 9' X 29' i.e. 24.25 sq. meters on the ground floor, without roof rights, part of property bearing Mpl. No. 10409, situated at ward no. XV, Gali no. 1, Bagichi Allaiddin, Motia Khan, Paharganj, New Delhi-110055. During the course of arguments it was also revealed by the counsel of the complainant that the shop has been sub-divided and they need other connection for the other half portion.

Attested True Copy
Secretary
CGRF (BYPL)

8/ 4/ 2 of 3

Complaint No. 482/2024

In this regard, Hon'ble Supreme Court of India, recently in the matter of Rajender Kumar Barjatya & Another Vs UP Avas Evan Vikas Parishat & Ors. in Civil Appeal No. 14605 of 2024 has clearly stated in para 21 (iv) that all the necessary service connections, such as electricity, water supply, sewerage connection, etc. shall be given by the service provider/board to the buildings only after the production of the completion/occupation certificate.

Sub-division of industrial plot without permission of the competent authority is an unauthorized act.

5. Thus, in view of above, we are of considered opinion that the new connection applied by the complainant cannot be granted as the complainant failed to file any relevant document to prove sub-division. For release of the new electricity connection the complainant has to documents from concerned department showing legal sub-division.

ORDER

Respondent has rightly rejected the application of the complainant of the new connection. However, if in future the complainant submits Sub-division Certificate, OP should release him new electricity connection, subject to fulfilling any other required formalities.

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.

Attested True Copy

Secretary
CGRI (BYPL)

(H.S.SOHAL)
MEMBER

(P.K. AGRAWAL)
MEMBER (LEGAL)

(P.K.SINGH)
CHAIRMAN