

C A No. Applied for
Complaint No. 262/2024

In the matter of:

Suhail ParvezComplainant

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. Mr. Imran Ul Haq Siddiqi, Counsel of the complainant
2. Mr. Ritu Gupta, Mr. R.S. Bisht, Mr. Akshat Aggarwal & Ms. Chhavi Rani, on behalf of respondent

ORDER

Date of Hearing: 22nd August, 2024

Date of Order: 28th August, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant applied for a new electricity connection at premises no. 51, L/S, 4th Floor, Krishan Kunj, Laxmi Nagar, Delhi-110092 vide requests no. 8006893183. The application of complainant was rejected by OP on the pretext of Dues at Site, Connection already exist and Building height more than 15 meter but Complainant stated her application for new connections has been rejected due to false ground.

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CGRF (CGRF)

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Signature

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Signature

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The respondent in reply briefly stated that the present complaint has been filed by complainant seeking for a new connection at premises no. 51, L/S, 4th Floor, Krishan Kunj, Laxmi Nagar, Delhi-110092, vide request no. 8006893183. The application of the new connection was rejected on account of building consisting of ground plus four floors over it and a room and mummy on 5th floor. Hence building height is more than 15 meters. As such applicant is required to submit fire certificate as required as per DERC Regulations or a Building Completion Certificate (BCC) in lieu thereof.

According to SVR dated 23.04.2024, the subject portion of premises already have an electricity connection bearing CA No. 152956597 and submissions of architect certificate or Building Completion Certificate (BCC) or fire certificate new connection can be released.

2. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that there are three dwelling unit on the fourth floor and no electricity connection exist in the applied premises of the complainant. It is also pertinent to mentioned that there are more than 15 domestic dwelling units in the applied building and only 13 domestic connections are installed by the respondent. Complainant stated that applied premises is on fourth floor of the building and same is covered under the Sixth Amendment of DERC as domestic connection is applied by the complainant on fourth floor of building which is under 15 meter. The complainant submitted Architect Certificate issued by the MCD authorized architect mentioning height below 15 meter of the applied floor.
3. Heard arguments of both the parties were heard at length.

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Secretary
CGRF (BYPL)

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4. During the course of arguments, OP states that they are ready to release the new connection to the complainant provided the complainant is required to submit Architect Certificate regarding height of the building is more than 15 meter and an affidavit/undertaking.

The counsel of the complainant agreed to the same and also provided the copy of Architect Certificate in the Forum.

5. Thus, in view of the above, we are of considered opinion that the new connection applied by the complainant can be granted subject to verification of Architect Certificate as submitted by the complainant.

ORDER

Complaint is allowed. Respondent is directed to release the new electricity connection as applied for by the complainant vide request no. 8006893183 at fourth floor of premises no. 51, L/S, 4th Floor, Krishan Kunj, Laxmi Nagar, Delhi-110092, subject to submission of Architect Certificate and fulfilling any other required commercial formalities as per DERC Regulations 2017.

The case is disposed off as above.

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


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN