



C A No. Applied for  
Complaint No. 629/2024

In the matter of:

Sunil Sachdeva

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

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. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 8<sup>th</sup> April, 2025

Date of Order: 09<sup>th</sup> April, 2025

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief fact of the case giving rise to this grievance is that the complainant applied for new electricity connection at premises no. 8730, 8730-8733, Khasra No. 863/10, Plot No.-3, DB Gupta Road, Paharganj Delhi-110055, vide request no. 8007239837. The application of complainant was rejected by Opposite Party (OP). BYPL on the pretext of Road Cutting permission required, Address in MCD Objection, but complainant stated his application for new connection has been

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2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking new electricity connection at the property bearing no. H. No. 8730, Khasra No.863/10, Ground Floor, 8730,-9733, Khasra No. 863/10, Plot No. 3, D.B. Gupta Road, Paharganj, Delhi-110055, vide request no. 8007239837. The application of the new connection was rejected on account of property appearing in MCD booking list at Serial no. 1113, 3059, 1639.

Hence, Violation of the provisions of Electricity Act & Regulations framed in respect of DERC (Supply Code & Performance Standards) Regulation, 2017.

3. In response to the reply the complainant filed rejoinder. The complainant stated that the premises of complainant is not booked by the MCD and even the OP has not attached letter of MCD booking sent to OP by the MCD, in which the OP has been asked to disconnect the existing connection or not to release any new connection on the building of the complainant by the MCD, which clearly shows that the OP does not have any letter issued from the MCD pertaining to the complainant's address and has merely filed a screenshot from a private website, wrongly/falsely claiming to be taken from MCD portal as the same is taken from a private website namely Advocatesdelhi.com, and without filing the MCD objection letter issued to the OP by the MCD, the OP can't rely on this objection as same is not maintainable.

However, to sort out the matter the complainant has filed NOC issued from the MCD along with rejoinder.

4. Heard arguments of both the parties at length.

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*[Signature]*

*[Signature]*

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5. From the narration of facts and material placed before us we find that the OP raised objection of MCD booking while rejecting the application of the complainant for new connection for which OP has placed on record only screenshot of MCD booking. OP has not placed on record any particular list issued by MCD under relevant sections.
6. Regarding this objection of OP, that building is booked by MCD, in this regard, complainant has placed NOC issued by MCD which stated that no booking found for unauthorized construction under section 344 (1) & 343 of DMC Act, 1957 against property no 8730-8733, Khasra No. 563/10. Built on Plot no.-3, Block No. 5, Ground Floor, Desh Bandhu Gupta Road, Paharganj, New Delhi-110055.
7. Since, water and electricity is integral part of right of life. Hon'ble Supreme Court in the matter of Dilip (dead) LR Vs Satish, in the case no. SSC 810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.
8. In the facts and circumstances aforesaid, we are of the view that the OP has failed to submit any conclusive and authentic proof which shows that the said premises is booked by MCD while the complainant has filed an NOC issued by MCD stating that the premises of complainant is not booked by MCD.
9. Therefore, respondent may be directed to provide the electricity connection with the condition that at the time of release of new connection the complainant should file an affidavit that in future MCD takes any action against the his property then OP should be at liberty to

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ORDER

The complaint is allowed. Respondent is directed to release the new connection applied by complainant vide application no. 8007239837 at premises no. 8730, 8730-8733, Ground Floor, Khasra No. 863/10, Plot No.-3, DB Gupta Road, Paharganj Delhi-110055, after completion of all the commercial formalities required for giving connection as per DERC Regulations 2017 and submitting the undertaking by the complainant regarding the fact that if in future any authority takes any action, OP will be free to disconnect the new electricity connection without any further notice.

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.K. SINGH)  
CHAIRMAN

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Secretary  
CGRF (BYPL)