

C G R F



B Y P L

Consumer Grievance Redressal Forum

FOR BSES YAMUNA POWER LIMITED

(Constituted under section 42 (5) of Indian Electricity Act. 2003

Sub-Station Building BSES (YPL) Regd. Office Karkardooma

Shahdara, Delhi-110032

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SECY/CHN 015/08NK

C A No. Applied for Complaint No. 419/2024

In the matter of:

TabassumComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. Akshat Aggarwal & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 02nd January, 2025

Date of Order: 13th 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 name change against CA no. 153595761 vide request no. 8007086149, installed at premises no. 31, FF, Gali No. 5, J-extension, Laxmi Nagar, Delhi-110092. The application of the complainant for name change was rejected by OP on grounds of dues at site.

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Complaint No. 419/2024

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking name change against the connection having CA no. 153595761 installed at 31, FF, Gali No. 5, J-extension, Laxmi Nagar, Delhi-110092. The said connection is in the name of Irfan Khan and dues are of enforcement against C A no. 401265839 in the name of Irfan Khan.

Reply further states that regarding the enforcement dues, litigation and award dated 27.08.2021 passed by the PLA-II in case bearing no. EPLA-II/9419/2021 titled as Irfan Vs BSES, were settlement was done between parties according to which, it was agreed and settled that the petitioner shall make the payment of Rs. 18,400/- in lieu of full and final settlement of the impugned bill of Rs. 26,668/-. The petitioner has already deposited amount of Rs. 13,400/- now balance amount is Rs. 5000/-, which shall be deposited by the petitioner on or before 15.09.2021.

3. The complainant was given three opportunities to file his rejoinder upon the reply of OP on dated 26.09.2024, 10.10.2024 and 24.10.2024, but complainant failed to file any rejoinder and matter was put up for arguments.

4. During the course of arguments the complainant was asked to file title documents and OP was directed to produce K.No. file of connection having CA no. 153595761. From the perusal of the K.No. file, it is evident that the subject connection was energized on 15.12.2021 while the complainant became owner of first floor flat in September 2021.

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5. Now the question arises, that when the complainant was in possession of the first floor of property bearing no. 31, J-extension, Laxmi Nagar, Delhi, then how Irfan Khan could request for new electricity connection. Irfan Khan after settling the Misuse bill in PLA for Rs. 18400/- and making part payment of Rs. 13,400/- got the new electricity connections released. The balance of Rs. 5,000/- has not been paid by Irfan Khan till date.

6. From the above deliberations, it is very much clear that the complainant was occupant of the applied property much before the new connection was applied by Mr. Irfan Khan; therefore, the complainant is liable to clear the outstanding dues pending in the name of Irfan Khan for effecting the name change in her favour.

The complainant for unjustifiable reasons has not presented the facts before the Forum; therefore, the application of the complainant for name change cannot be granted. OP has rightly rejected the application of the complainant for name change and asked for clearance of pending dues for affecting the same.

ORDER

Complaint is rejected. Respondent is directed to effect the name change in the bills of the complainant after payment of pending dues and completion of other commercial formalities as per DERC Regulations 2017.

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.

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Secretary
CGRF (BYPC)

(H.S. SOHAL)
MEMBER

(P.K. AGRAWAL)
MEMBER (LEGAL)

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

(P.K. SINGH)
CHAIRMAN