

C A No. Applied for
Complaint No. 274/2024

In the matter of:

Umesh Kumar

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. R.S. Bisht, Ms. Chhavi Rani, Mr. Lalit & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 14th January, 2025

Date of Order: 15th January, 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 a new electricity connection at premises no. A-29, Ground Floor, Lift, Mansarovar Park, Delhi-110032, vide requests no. 8006911524. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of Dues against CA, but complainant stated that his application has been declined due on false ground. Therefore, he requested the Forum to direct the respondent for release of new connection.

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Secretary
CCRB (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking for one new connection at the premises no. A-29, Ground Floor, Lift, Mansarovar Park, Delhi-110032, vide request no. 8006911524. The application of the new connection was rejected on account of dues exist at site against CA No. 100082587, without clearing the same, no new connection can be released.
3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the dues of CA No. 100082587 as demanded by the respondent in rejection letter dated 24.04.2024 for an amount of Rs.64,383/- from the complainant and the respondent has attached the bill mounting to Rs. 2,09,526/- with its reply and the alleged dues does not pertain to the complainant in any manner. Complainant stated that subject address is having multiple property of same address therefore it is not possible to tell about the dues to whom they pertains.
4. Both the parties were directed to conduct joint site visit report. Site visit report dated 18.11.2024 placed on record stated that the applied building is in two parts and meters are installed in both the parts. There is A-28 on the right side of the applied building and A-30 on the left side. The meter installed in the building are as follows:

S. No.	Part-1	Part-2
1.	35957602	35726422
2.	35813926	35542336
3.	35434527	17139523
4.	25344941	35469950, 35317478

5. During the course of arguments, OP was asked to produce K No. File of the connection whose dues are demanded from the complainant but OP failed to provide the same.

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6. Heard arguments of both the parties at length.
7. We have gone through the submissions of both the parties. From the narration of facts and material placed before us, we are of considered opinion that the OP failed to prove that the dues are entirely payable by the complainant. We also considered that there are many more connections in the applied building. Therefore, the complainant is not liable to clear the pending dues of CA no. 100082587. The dues of CA No. 100082587 as demanded by OP from the complainant are to be raised on pro-rata share basis to the complainant.

ORDER

The complaint is allowed. OP is directed to release the new electricity connection to the complainant as applied for by him vide request no. 8006911524 at premises no. A-29, GF, lift, Mamsarover Park, Delhi-110032, after payment of pro-rata dues of CA no. 100082587 and completion of other formalities as per DERC Regulation 2017.

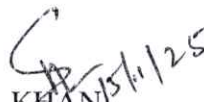
This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.


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


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


(P.K.SINGH)
CHAIRMAN

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CGRF (BYPL)