

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/01/MBNKS

C A No. 154196568

Complaint No. 75/2024

In the matter of:

Zakir Hussain

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmad Alvi (CRM)
3. Mr. P.K. Agrawal, Member (Legal)
4. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 06th June, 2024

Date of Order: 12th June, 2024

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

1. This complaint has been filed by Mr. Zakir Hussain against BYPL- Yamuna Vihar. The brief fact of the case giving rise to this grievance is for removal of transfer dues. Complainant alleged that OP has illegally transferred dues amounting to Rs. 1, 53,479/- on his CA No. 154196568. The said transferred dues are of disconnected connection having CA No. 152688203 registered in the name of Mr. Iftekhhar

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


The complainant further submitted that the said plot was purchased from Iftexhar Hasan and entire plot was constructed by Salman from ground to third floor and in which all the floors were sold except fourth floor, which is still with Salman and a connection in the name of Seema, wife of Salman having CA no. 154246624 is installed at the fourth floor. Salman is living with his family at nearby premises having no. C-12/160, Second and third floor, Yamuna Vihar, Delhi and having live connection with CA no. 153059026 and 153059026. Complainant has prayed for the directions to the OP to withdraw and revoke the alleged illegal dues, transferred on aforesaid CA No. belonging to the complainant.

2. OP in its reply briefly stated that that the present complaint has been filed by the complainant seeking withdrawal of transferred dues on CA No. 154196568. Reply further added that one electricity connection in the name of Salman Khan having CA No. 153673688 was installed on the First Floor of the property bearing no. C-12/123, C-12 Block, Yamuna Vihar, Delhi. The connection was disconnected on 29.03.2023 due to the non-payment of dues of Rs. 2,21,061/-. As per site report date 06.11.2023, three meters were installed at the same premise where the disconnected connection was installed. The details of the said connections are mentioned below:

S. No	CA NO.	R/C	FLOOR
1	154196571	Noshad	II
2	154196568	Zakir Hussain	III
3	154246624	Seema	IV

Show-cause notices dated 09.11.2023 were sent to the R/Cs. Further upon no representation and due to the same address and same sequence the dues of CA No. 153673688 were transferred to the said three connections equally on 21.12.2023.

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Further, the site visit was again carried out 30.01.2023 and it was found that Ms. Asma is residing on the first floor of the subject premises where the disconnected connection was installed. Further, Ms. Asma informed the Field Engineer that the electricity supply to her premises was being supplied from the electricity connection of the complainant. Dues were transferred to the above-mentioned 3 electricity connections on pro-rata basis. However, now that it has been confirmed by the beneficiary herself that the electricity on the First Floor, the portion of the disconnected connection is being sanctioned through the electricity connection of the complainant, the complainant is very well liable to clear all the transferred dues.

3. Counsel of the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and reiterated his original complaint.
4. Arguments heard and perused the record.
5. From the narration of facts and material before us we find that it is not clear whether the building is re-constructed or not. Also, site visit report dated 30.01.2024 submitted by OP stated that there are three meters at site and the occupant of first floor Ms. Asma is using electricity from the meter of Zakir Hussain, CA no. 154196568. This version of OP and Ms. Asma proves that there is no electricity supply at the first floor of the building where connection of Mr. Salman Khan was installed and got disconnected on 29.03.2023. The complainant has submitted that this building is re-constructed by Salman Khan and there is a connection on fourth floor of the premises in question

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in name of Ms. Seema, wife of Salman Khan, but has not placed any proof in support of his claim. On the contrary, OP has also neither denied this fact nor placed any document to prove this contention of the complainant wrong.

6. In view of the above, we are of considered opinion that the dues of Salman Khan shall be divided among all the three connections in the building on pro-rata basis and without LPSC.

ORDER


The complaint is partially allowed with the directions to OP to transfer the dues of disconnected connection of Salman Khan having CA no. 153673688 to all the three live connections in the premises in question equally on pro-rata basis.


OP is further directed to waive off entire LPSC amount from the pending bill of Salman Khan and allow complainant to pay the transferred dues in monthly installments, if asked for by the complainant along with current dues.

OP is further directed to file compliance report within 21 days from the date of this order.

The case is disposed off as above.

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


(NISHAT A ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN) 16/12/24
MEMBER (TECH.)


(P.K. SINGH) 12/6/24
CHAIRMAN

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