



C A No. Appiled For
Complaint No. 250/2023

In the matter of:

FarzanaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

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

ORDER

Date of Hearing: 29th August, 2023

Date of Order: 30th August, 2023

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The complainant Farzana in her complaint submitted that she applied for new electricity connection vide request no. 8006180531 at premises no. GF, E46/D35/70, Jain Mandir, Dilshad Colony, Nearby Mandir, Dilshad Garden, Delhi-110032, but respondent rejected her application for new connection on pretext of pending enforcement and energy dues.

H.S. Sohal ✓ *ly*

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Attested True Copy
[Signature]
Secret
CGRF

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2. OP in its reply briefly submitted that complainant is seeking new electricity connection at ground floor of premises bearing no. E-46/D-35/70, Jain Mandir, Dilshad Colony, East Delhi-110095 vide request no. 8006180531 wherein deficiency letter was issued as complainant as dues are outstanding against the subject premises details are as under:-
- 400782400 Tayuub, settled for 10,000/- only paid Rs. 5000/- against settled amount.
 - 400815204 Farzana, settled for 12000/-, complainant only paid Rs. 1015/- against settled amount.
 - 400796045, Tayuub, settled for 860/- but not paid till date.
 - 151759302, Farzana has not been settled yet.


OP also submitted that in deficiency letter one more enforcement bill having CA no. 400820343 was mentioned which has been settled by the complainant. From the bills it is apparent that all dues pertain to same property and are in the name of the complainant and/or her husband.

3. Counsel of the complainant rebutted the contentions of the respondent as averred in their reply and submitted that one enforcement bill against CA No. 400815204 was forcibly settled. He also submitted that the complainant is ready to pay any kind of enforcement or energy dues amended bills in EMI.
4. LR of the OP submitted that the complainant is arguing for the bill which is settled before PLA and this Forum has no jurisdiction to entertain the present complaint.

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5. Heard both the parties and perused the record.
6. As per THE DELHI ELECTRICITY REGULATORY COMMISSION (Forum for Redressal of Grievances of the Consumers and Ombudsman) REGULATIONS, 2018, Regulation 13. Limitation of Jurisdiction of the Forum (1) The Forum shall not entertain a grievance if it pertains to the same subject matter for which any proceedings before any court, authority or any other Forum is pending or a decree, award or a final order has already been passed by any competent court, authority or forum.
7. In the present case the complainant stated that OP has settled the enforcement bill under duress before other court.
8. Since the complaint of the complainant is regarding the dues which he has settled before other court/forum, therefore, as per above stated Regulation this Forum has no jurisdiction to entertain this case.
9. The case is dismissed as default.
10. No order as to the cost. Both the parties should be informed accordingly.
File be consigned to Record Room.


(S.R. KHAN)
MEMBER-TECH


(NISHAT AHMAD ALVI)
MEMBER-CRM


(P K SINGH)
CHAIRMAN


(P.K.AGRAWAL)
MEMBER-LEGAL


(H.S. SOHAL)
MEMBER

Attested True Copy

Secretary
CGRF (BYPL)