



C A No. Appiled For
Complaint No. 129/2023

In the matter of:

Jai PrakashComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Neeraj Kumar, counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Ravi Tiwari, Ms. Shweta Chaudhary & Ms. Chavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 04th July, 2023

Date of Order: 07th July, 2023

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

1. Present complaint has been filed by the complainant alleging that complainant's application for new connection has been rejected on the pretext of "ownership dispute/court case, fire safety clearance required for building height more than 15 meters or having ground plus four floors including mezzanine floor (business building)".

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Secretary
CGRF (BYPL)




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Brief facts of the case are that the complainant applied for new electricity connection vide request no. 8006151499 at premises no. 1975, 4th floor, gali Neela Wali Bazar Sita Ram, Delhi-110006 which was rejected by OP on the pretext of building height more than 15 meters and ownership dispute.

2. OP in its reply submitted that the complainant applied for new electricity connection at fourth floor of property bearing no. 1975, Gali Nila wali, Bazar Sita Ram, Delhi-110006. On site visit it was found that property no. 1974 and 1975 are joint property with common entrance. Commercial meters exist at ground floor and first floor. Second floor and third floor have domestic meters. Thus building is considered as fully commercial building. OP further added that said joint property various enforcement dues are pending which complainant is required to clear. Also complainant has placed on record documents of third floor for connection on 4th floor, thus complainant be asked to submit documents of fourth floor. As the said fourth floor is effective fifth floor as such complainant is required to submit architect certificate from MCD approved Architect regarding height of building.
3. A.R. of the complainant filed his rejoinder submitting therein that the complainant purchased the built-up property on 28.06.2022 third floor with roof/terrace rights and thereafter, constructed fourth floor then applied for new electricity connection.

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4. On hearing dated 04.07.2023, OP submitted the latest site visit report of the applied premises and stated that they are ready to release the new connection to the complainant subject to submission of Architect Certificate only. Counsel of the complainant agreed to the same.


ORDER


The complaint is allowed. The counsel of the complainant is directed to submit Architect Certificate as required by OP. OP is also directed to release the new connection to the complainant after receipt of Architect Certificate and completion of other commercial formalities.


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

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.


(H.S. SOHAL)
MEMBER


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(G.R. KHAN)
MEMBER (TECH.)

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