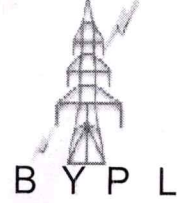


C G R F



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  
Phone: 32978140 Fax: 22384886  
E-mail: cgrfbypl@hotmail.com  
SECY/CHN 015/08NKS

C A No. 152784970

Complaint No. 129/2021

**In the matter of:**

Karan Bal

.....Complainant

**VERSUS**

BSES Yamuna Power Limited

.....Respondent

**Quorum:**

1. Mrs. Vinay Singh Member(Law)
2. Mrs. Monika Taneja, Member (CRM)

**Appearance:**

1. Mr. Dhiraj Kulshreshtha, Counsel of the complainant
2. Mr. Jagathessh Kannan, Ms. Shweta Chaudhary & Ms. Seema Rawat, on behalf of respondent no.1
3. None present on behalf of respondent no. 2

**ORDER**

Date of Hearing: 24<sup>th</sup> January, 2022

Date of Order: 25<sup>th</sup> January, 2022

**Order Pronounced By:- Mrs. Vinay Singh, Member (Law)**

Briefly stated facts of the case are that the complainant applied for shifting of around 25 meters from the wall touching to the shop of the complainant.

It is also his submission that he purchased the shop from Mr. Krishan Mahajan. Originally the electric meters of the shop and offices of the building were installed in the stair case provided by the builder of the building. But there was

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fire in the meters and then the meters were shifted on the wall of MTNL which is touching the shop of the complainant. The wires from the meters are passing through the shop of the complainant. The erstwhile owner of the shop Mr. Krishan Mahajan was out of India, when this fire incident happened and in collision with BSES the owners of shops and offices in the building got the meters installed outside their shop. They neither can open any business nor are any tenants willing to take the shop on rent because of the meters. Therefore, he requested the forum to direct the respondent for immediate removal of the meters from outside his shop.

Notices were issued to both the parties to appear before the Forum on 05.01.2021. Due to incomplete coram, the hearings could not be conducted. The matter was heard on 17.01.2022.

The respondent in their reply stated that the complainant is seeking shifting of 18 meters which are not pertaining to complainant from its current position at Pankaj Tower opposite Anand Lok Apartments, Mayur Vihar Phase-I. The MMG department on request of the complainant had visited the site and on site verification had informed that meter shifting is not possible. Later Pankaj Tower Welfare Association members held meeting with O&M team of respondent and refused to give their consent for shifting of meters from their current location and also send a letter to this effect. The letter from RWA stated that some litigation is pending on the subject matter before Hon'ble High Court of Delhi as such matter is already apparently sub-judice before the Hon'ble High Court of Delhi between the parties.

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The matter was listed for hearing on 17.01.2022, when complainant was present and respondent stated that concerned RWA of the Pankaj Tower building be also made party in the matter. On the request of the respondent, notice was issued to the RWA to appear before the Forum on next date of hearing i.e. 24.01.2022.

The matter was finally heard on 24.01.2022, when respondent filed reply along with annexure. On the last date of hearing RWA was called, but no one present on behalf RWA.

As per the reply of the respondent no. 1 along with annexure signed by Sh. G.L. Verma, on behalf of Pankaj Tower Traders Welfare Association, it is submitted that the case is pending before the Hon'ble High Court of Delhi.

Mr. G.L.Verma vide their mail dated 24.01.2022, submitted that they received the notice to appear before the Forum on 22.01.2022 and due to weekend curfew they could not hold meeting to discuss the matter with the other shop/office owners. Mr. Verma denied the contentions of Mr. Karan Bal and submitted that he was well aware of the fixing of the meters when he purchased the shop. He also submitted that electricity meters are not in the premises/shop of Sh. Karan Bal and there is no other space better than the one where meters are presently installed.


As per Regulation 13 (1), of CGRF Regulations 2018, which is narrated below:- 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.


Complaint No. 129/2021

In view of the above, since the subjected matter is sub-judice before the Hon'ble High Court of Delhi, and as per Regulation 13 (1) of the CGRF Regulations 2018, this Forum has no jurisdiction in the matter.

The case is dismissed as above.

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

  
(MONIKA TANEJA)  
MEMBER (CRM)

  
(VINAY SINGH)  
MEMBER (LAW)