



C A No. Applied For
Complaint No. 78/2021

In the matter of:

MeenakshiComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. Nishi Kant Ray, Counsel of the Complainant
2. Mr. Imran Siddiqi & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 17th September, 2021

Date of Order: 23rd September, 2021

Order Pronounced by:- Dr. Harshali Singh, Member (CRM)

Briefly stated facts of the case are that the complainant applied for a new electricity connection but the respondent rejected her application for a new connection.

The complainant states that she applied for a new electricity connection at Flat no. 73, Second Floor, Fatehpuri, Gali Nem Wali, Katra Bariyan, Delhi-110006 vide request no. 8004797632 dated 24.02.2021 which the respondent company rejected on the pretext of the building height being more than 15 meters.

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She also submitted that all the flats in the building already have an energized electricity connections but only the applicant's flat has no electricity connection. The said building is old and constructed from ground till fifth floor. The complainant prayed to the forum to direct the respondent company for release of new connection.

Notices were issued to both the parties to appear before the Forum on 20.08.2021.

The respondent company submitted their reply stating therein that the complainant had sought a new electricity connection for domestic purpose vide application no. 8004797632 at Flat no. 73, Second Floor, Fatehpuri, Gali Nem Wali, Katra Bariyan, Delhi-110006. During site visit at the complainants premises it was found that the height of the building wherein the new electricity connection was applied for, is of the height - 20.20 meters having GF+M+5Floors.

Further, Commercial activities were found at the ground floor, mezzanine floor and first floor. Total 18 shops exist at ground floor. As commercial activities were found in the building where the electricity connection was applied for hence benefit of 6thAmendment of DERC is not applicable in the instant case.

The respondent also added that 28 meters exist in the building where the connection is applied for. All the existing connections have been installed prior to, 28.06.2017. Also, there are pending dues at the said premises and complainant has to pay Rs. 2046/- as pro-rata basis.

The case was listed for hearing on 23.08.2021, when the respondent filed their reply that as per inspection report, there is commercial activity on the ground floor and second floor. Both the respondent and complainant were directed to seek clarification from DERC and other authorities.




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The respondent was also directed to file K.No. file and statement of accounts on the next date of hearing. The forum suggested to both parties to try for an amicable resolution in the present case if possible.

On 03.09.2021, the respondent filed K.No. file of Arvind Kumar and statement of account for CA No. 100326971 as directed.

The present case was thereafter heard on 17.9.2021, when the complainant filed Hon'ble High Court order/citation in the matter of Mr. Abdul Amiro along with the electricity bills. Arguments were heard and matter was reserved for orders.

Later, on 21.09.2021 the complainant submitted an application for withdrawal of her complaint submitting therein that she does not want to contest her complaint and wishes to withdraw the same. She requested the Forum to accept her withdrawal application in the interest of justice. The Forum accepted her request and allowed her to withdraw her complaint.

Under the circumstances, the Forum finds it appropriate to accept the complainant's withdrawal application and dispose off the case accordingly. The office is directed to send a copy of this order to both the parties and consign the file to record room thereafter.

No order as to the cost.

The order is issued under the seal of CGRF.


(HARSHALI KAUR)
MEMBER (CRM)
23.9.21


(VINAY SINGH)
MEMBER (LAW)


(ARUN P SINGH)
CHAIRMAN