



C A No. Applied For  
Complaint No. 61/2024

**In the matter of:**

Naresh Dhir .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

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

**Appearance:**

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Ms. Ritu Gupta & Mr. Akshat Aggarwal, On behalf of BYPL

**ORDER**

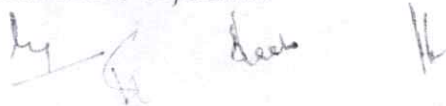
Date of Hearing: 09<sup>th</sup> April, 2024  
Date of Order: 10<sup>th</sup> April, 2024

**Order Pronounced By:- Mr. P.K. Singh, Chairman**

1. This complaint has been filed by Sh. Naresh Dhir, against BYPL-Nand Nagri. The brief facts of the case giving rise to this grievance are that the complainant Sh. Naresh Dhir applied for new electricity connection vide request no. 8006715905 at premises no. Pvt. No. 16, Plot no. 520-A, GF, Main GT Road, Shahdara, Near Ganpati Compound, Delhi-110032, but respondent rejected the application of the complainant for new connection on the pretext of MCD objection.

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Secretary  
CGRF (BYPL)



Complaint No. 11/2024

In context to OP's rejection, the complainant stated that it's not his premise which is booked by MCD; it's the premises of Mr. Rajiv Aggarwal, which are booked by MCD.

2. The respondent in reply briefly stated that the complainant is seeking new electricity connection for the premises bearing address Pvt. No. 16, Plot no. 520-A, GF, Main GT Road, Shahdara, Near Ganpati Compound, Delhi-110032 vide application numbers 8006715905.

Reply further added that upon inspection of the site premises for granting of new electricity connection, it was found that building was booked by MCD on account of unauthorized construction that too twice. Firstly the premises were booked on 12.04.2019 vide letter no. EE(B)-I/Sh-N/2019/D-61 on account of unauthorized construction mentioned at serial no. 33. Thereafter, vide letter bearing no. EE(B)-I/SH-N/2019/D-87 dated 22.05.2019 mentioned at serial no. 117.

From the first MCD list it is apparent that premises bearing no. 520A is booked. The claim of the complainant that his property bearing private no. 16 not booked can be clarified only by MCD.

In the present case also complainant who has purchased the property from M/s Ganpati Rolling Pvt. Ltd. through its director Sh. Sushilain, be directed to either get Building completion Certificate (BCC)/NOC from MCD or information through RTI that applied premises is not booked by MCD for unauthorized construction.

3. Counsel of the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the property of the complainant is not booked. He also submitted photograph of his property where he applied for new connection and showed the Forum that the property booked is unauthorized construction in the shape of Basement, Ground Floor and raising wall at first floor whereas his property consist of only ground floor.

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4. LR of the OP submitted since the building is booked by MCD therefore, new connection is not feasible.
5. Both the parties were directed to conduct joint site visit. Joint visit report dated 26.03.2024 stated that applied address is Plot no. 520-A, and the said address has multiple buildings. Only one building is confirmed to be booked by MCD and other buildings not confirmed. OP along with site visit report submitted rough site sketch showing the premise of the complainant where he has applied for new electricity connection and the booked premise. Both the premises are at a distance from each other.
6. In view of the above, site visit report submitted by OP it is clear that the premises booked by MCD are different from that of complainant. Therefore, we cannot find any ground on the basis which new connection cannot be granted to the complainant.
7. Water and electricity are integral part of right to life. Hon'ble Supreme Court in the matter of Dilip (Dead) LR vs Satish, in case no. SCC online SC810 dated 13.05.2022 has held that electricity is basic amenity which a person cannot be deprived off. Even on the principle of law there should be equity before law and equal protection of law in the spirit of constitution.
8. Thus, the objection of the OP is no justified and we cannot deprive the complainant of electricity. Therefore, OP is hereby directed to grant the application of the complainant for electricity connection in the applied premises.

*Deeds*      *pld*      *SK*      *h*

3 of 4

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*[Signature]*  
Secretary

CGRF (BYPL)



Complaint No. 61/2024


ORDER


Complaint is allowed. OP is directed to release the new electricity connection as applied for by the complainant vide application no. 8006715905 at premises no. Pvt. No. 16, Plot No. 520-A, GF, Main G.T. Road, Shahdara, Near Ganpati Compound, Delhi-110032 after completion of all the commercial formalities as per DERC Regulations 2017 and after submitting the undertaking by the complainant regarding the fact that Whenever MCD/any Government Agency in future takes any action, OP is free to disconnect the new electricity connection.


OP is also directed to file compliance report to forum 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)  
MEMBER (TECH.)

  
(P.K.SINGH)  
CHAIRMAN

4 of 4

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