



CA No. Appiled For
Complaint No. 203/2023

In the matter of:

Paramjeet SethiComplainant

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

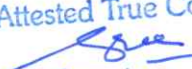
ORDER



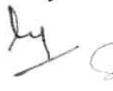

Date of Hearing: 29th August, 2023

Date of Order: 06th September, 2023

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

1. The complainant Paramjeet Sethi in his complaint submitted for removal of Electricity Panel installed at premises no. 8311, street no. 5, Multani danda, Pahargarj, Delhi-55. Complainant alleged that without information to him OP installed electricity panel/transformer on the premises situated above. He approached division office of OP for removal of transformer but OP did not pay any heed to his complaints.

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2. OP in its reply briefly submitted that complainant is seeking removal of panel which is actually a package Sub-Station i.e. PSS. The subject PSS is installed in Gali No. 5, Multani Dhanda, Paharganj and at present is providing electricity to 646 residential and commercial units existing nearby. OP also submitted bills of oldest connections from the said transformer which shows that the connections exist since 1967.

OP further submitted that at the time of erstwhile DVB at the subjected land a pole mounted transformer existed which was changed to PSS i.e. a packed transformer in year 2004.

That vide notification no. F-27/LA/2000 dated 08.03.2001, the Delhi Electricity Reforms Act, 2000 came into being which was enacted by Government of NCT of Delhi.

Also, as per documents placed on record the complainant is not owner of the land wherein the transformer is existing since DVB period. Though chain or ownership documents are not filed and only relinquishment deed is filed yet from the same also it is apparent that the complainant is owner of only part of property bearing no 8311. The said property seems to be of 300 sq. yards wherein one three bed room flat already exists. There is no reference of transformer existing in the said plot of 140 sq yards as more clearly shown in the site plan filed by the complainant.

The sub-station is existing since DVB period for more than 20 years as such on principles of estoppels itself the complaint of the complainant is liable to be dismissed.

3. Counsel of the complainant rebutted the contentions of the respondent as averred in their reply and submitted that property bearing no. 8311, Street no. 5, Multani Dhanda, Pahar Ganj, New Delhi-110055 and

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whereas S. Trilok Singh son of Sinder Singh was the owner of built up property, consisting of ground floor with roof rights which is more clearly shown in RED color map attached, read with agreement to sell dated 06.06.1961 executed by S Makhan Singh son of Sh. S Punjab Singh and Trilok Singh has died on 12.04.2014 his wife Smt. Amarjit Kaur already died on 17.01.2004 leaving behind the following legal heirs.


- a) S.Ravinder Singh
- b) Smt. Baljeet Kaur Bawa
- c) Smt. Satnam Kaur
- d) Smt. Paramjeet Sethi
- e) S. Rajinder Singh Saluja.


The said relinquishment deed is made and executed on 11th day April 2022.


4. LR of the OP asked the complainant to file complete chain of property. Since the documents submitted by the complainant are old documents and incomplete.
5. Heard both the parties and perused the record.
6. Since the complaint of the complainant is regarding the removal of electricity panel/transformer from premises no. 8311, street no. 5, Multani Danda, Paharganj, Delhi-110055, but the complainant failed to provide complete property chain and documentation in support of his claim on the land where electricity panel is installed. Since the panel is installed since DVB era i.e. almost more than 20 years old, therefore, it is difficult to ascertain the contention of the complainant in absence of justifying documentation.

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7. Therefore, we are unable to give any relief to the complainant without proper or complete documentation.
8. The case is dismissed as default.
9. No order as to the cost. Both the parties should be informed accordingly.
File be consigned to Record Room.


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER

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