



C A No. Applied for  
Complaint No. 453/2023

In the matter of:

Shokat Ali .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

1. Mr. P.K. Singh, Member
2. Mr. Nishat Ahmed 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. Mr. Aakash Swami, Mr. R.S. Bisht, Ms. Pragya Paliwal, Mr. Nishant Chauhan & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 23<sup>rd</sup> January, 2024  
Date of Order: 29<sup>th</sup> January, 2024

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. This complaint has been filed by Mr. Shokat Ali against BYPL-KRN. The brief facts of the case giving rise to this grievance are that Mr. Shokat Ali, applied for new electricity connection vide request no. 8006612718 at premises no. 23-B, SF, West Laxmi Nagar Near Petrol Pump, Delhi-110051 but respondent rejected his application for new connection on the pretext of g+4 building, consumer not present at site, floor found locked

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CGRF (BYPL)

MCD objection.

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2. OP in its reply briefly stated that the complainant is seeking new electricity connection on second floor at property bearing no. 23-B, West Laxmi Nagar, near petrol pump, Delhi-110051. The complainant applied for new electricity connections vide application no. 8006612718 for domestic purpose. Upon inspection of the site premises it was found that the property being booked by MCD for unauthorized construction and the complainant was not present at site, premises of the complainant was found locked.

OP further added that already a connection exist at site bearing meter no. 35621989 which was installed on 01.03.1990 installed on 01.03.1990 in the name of Zalaluddin. The applied address was found in MCD objection list vide letter no. EE(B)-II/Sh(s)/2018/D-4026 dated 04.12.2018 at sl. no. 40. OP also submitted copy of letter dated 04.12.2018 and 05.03.2019 containing the status of building being booked by MCD.

3. Representative of the complainant rebutted the contentions of the respondent as averred in their reply and submitted that OP ~~filed~~<sup>filed</sup> two MCD booking list in which one list is mentioned as 40 properties and other in which 27 properties. From the 67 properties booked by MCD, OP has not furnish any details which shows that OP has taken any action for disconnection/removal of the meter in the listed properties.

4. LR of the OP submitted that premises of the complainant have been booked by MCD and for release of new electricity connection the complainant has to file BCC or NOC from MCD department.

5. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that complainant asked for new connection at property no.

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23-B, West Laxmi Nagar, near petrol pump, Delhi-110051.

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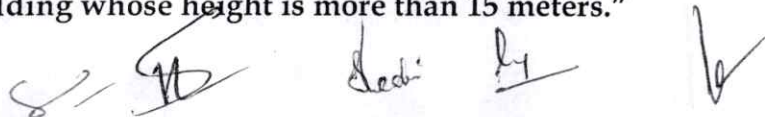
Respondent raised objection that the said property, is booked by MCD vide order no. EE(B)-II/Sh(s)/2018/D-4026 dated 04.12.2018 at sl. no. 40. This Forum is of the view that there is unauthorized construction on the address of the complainant as reported by MCD which has not been removed by the complainant. Completion cum occupancy certificate should be presented by the complainant for release of new connection.

6. The complainant has emphasized on the fundamental rights for claiming electricity connection. However, Hon'ble Delhi High court in case of Parivartan Foundation Vs. South Delhi Municipal Corporation & Others W.P. (c) 11236/2017 dated 20.12.2017 has laid down that

3. The BSES Rajdhani Private Limited and the Delhi Jal Board shall ensure that no connections are provided and water and electricity is not supplied to the buildings constructed in violation of law.

4. In case, the connections have been given to the buildings constructed in violation of law, appropriate steps in accordance with law shall be taken regarding those connections.

7. In this regard, Hon'ble Delhi High Court in the case of W.P. (c) 2453/2019 has held "However, merely because some of the occupants of the building have wrongly been given an electricity connection, it cannot be ground for the court to direct respondents' no. 2 and 3 to further compound the wrong act and direct granting of a new electricity connection to the premises of the petition which is located in the building whose height is more than 15 meters."

 Several handwritten signatures in black ink, including one that appears to say 'Secty'.

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ORDER

The complaint is rejected. The Respondent has rightly rejected the application of the complainant for new connection.


The case is disposed off as above. No order as to the cost. Both the parties should be informed accordingly. Proceedings closed.


  
(P.K. SINGH)  
CHAIRMAN

  
(S.R. KHAN) 1/1/24  
MEMBER-TECH

  
(P.K. AGRAWAL)  
MEMBER-LEGAL

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Secretary  
CGRF (BYPL)

  
(NISHAT AHMAD ALVI)  
MEMBER-CRM

  
(H.S. SOHAL)  
MEMBER