



CA No. 153316780  
Complaint No. 127/2023

In the matter of:

Shyam Sunder Dua .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Shweta Chaudhary Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 25<sup>th</sup> April, 2023

Date of Order: 10<sup>th</sup> May, 2023

Order Pronounced By:- Mr. Nishat Ahmed Alvi, Member (CRM)

1. As per complaint, the complainant is using electricity through CA No. 153316780, installed at his premises no. 5/520, Industrial Area, Dilshad Garden, Delhi-110095. He further submitted that his supply was disconnected on account of non-payment of dues. He made payment of all the dues on 16.02.2023 but respondent has still not restored his electricity supply till date.

for  
Nishat

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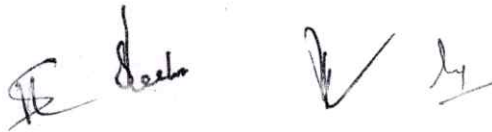
Secretary  
CGRF (BYPL)

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2. OP in its reply briefly submitted that the complainant is seeking restoration of connection bearing CA No. 153316780 which was installed at premises no. 5/520, Industrial Area, Dilshad Garden, Delhi-95 and the said connection was disconnected in MCD sealing drive. MCD issued letter dated 09.09.2022 to Deputy Commissioner of Police, District Shahdara for requisition of police force for special demolition/sealing action program against unauthorized construction at properties no. 520/1 & 2, 520/5, 520/6, 520/7, 520/10 and 520/12, Mahalaxmi and Ganpati Compound, GT Road, Dilshad Garden, Delhi and copy of said letter was also marked to respondent for disconnection of electricity connections as may be found existing in said properties.
3. Representative of the complainant ~~is~~ rebutted the contentions of respondent as averred in their reply and submitted that this Forum has already released the connection in the subjected property in the matter of Rohit Bansal C.G. No. 219/2022.
4. LR of the OP submitted that the supply was disconnected by O&M on the basis of letter no. EE(B)-I/SH-N/2022/D-268 dated 09.09.2022 under sealing action against un-authorized construction in properties no. 520/1 & 2, 520/5, 520/6, 520/7, 520/10 and 520/12, Mahalaxmi and Ganpati Compound, GT Road, Dilshad Garden, Delhi. Due to resistance at site the supply was disconnected from pole. Later, the meters were also removed from site.

for  
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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 evident that the supply of the complainant was disconnected during the sealing drive vide order no. EE(B)-I/SH-N/2022/D-268 dated 09.09.2022 for unauthorized construction under the jurisdiction of GTB Enclave police station, copy of same was also marked to the CEO (BYPL) to disconnect the electricity supply.

Also, regarding the connection released in property no. 520/1 & 2 in the matter of Rohit Bansal, C.G. No. 219/2022 vide order dated 09.01.2023 of the Forum, the said connection was released as the respondent filed MCD objection list of the year 2018 and 2020. No letter of MCD dated 09.09.2022 was placed on record by the respondent. The complainant placed on record NOC of EDMC vide no. EE(B)-1/SH-N/2020/D-111 dated 13.09.2020 which clearly stated that property bearing no. 520/1 & 2, Mahalaxmi Compound, Dilshad Garden, Delhi in the name of Sh. Rohit Bansal is not booked under unauthorized construction. The facts presented before the Forum of both the cases are entirely different therefore; the Forum has ordered to release the connection in the matter of Rohit Bansal C.G. No. 219/2022.

6. In view of the above, we are of the considered opinion that the premises of the complainant is sealed by MCD for unauthorized construction, therefore, respondent has rightly rejected the application of complainant for restoration of supply.

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ORDER


The complaint is rejected. Respondent has rightly rejected the application of restoration of the supply of the complainant. Restoration of supply is possible only if the complainant provides de-sealing orders/NOC from MCD.

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.R. SINGH)  
CHAIRMAN

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