



C A No. Applied for
Complaint No. 148/2022

In the matter of:

Sumit & OthersComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mohd. Afsar, A.R. of the complainant
2. Mr. Imran Siddiqi, Ms. Ritu Gupta, Ms. Seema Rawat, Ms. Maninder Babbar, Ms. Shweta Chaudhary & Mr. Shubham Singh,
On behalf of BYPL

ORDER

Date of Hearing: 20th October, 2022
Date of Order: 21th October, 2022

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. This complaint has been filed by Sh. Sumit, Sh. Akash & Sh. Mohit against BYPL-LNR.
2. The brief facts of the case giving rise to this grievance are that complainants Sh. Sumit, Sh. Akash & Sh. Mohit applied for new

PK Agrawal

electricity connections at premises no. A-2, Guru Ramdas Nagar, Delhi-110092, vide request 8005739550, 8005739574 & 8005739590 but OP rejected their applications for new connection on pretext of same site energy dues.

3. The respondent in reply briefly stated that the connections were applied by complainants first in the name of Mr. Sumit vide application no. 8005739550 at A-2, T/F, Guru Nanak Pura, Laxmi Nagar Delhi-92, second in the name of Mohit Bhaskar, vide application no. 8005739574 at A-2, GF, Guru Nanak Pura, Laxmi Nagar Delhi-92 and third in the name of Akash Bhaskar vide application no. 8005739590 at A-2, FF, Guru Nanak Pura, Delhi-92 on 09.06.2022. It is also their submission that on site verification it was found that energy dues are outstanding against the premises sought to be electrified against CA No. 100869620 amounting to Rs. 57093/-.

OP further submitted that Regulation 10 & 11 of DERC (Supply Code and Performance Standards) Regulations, 2017 pertains to grant of new electricity connection. In terms of said Regulations it is mandatory for the applicant to first clear the outstanding electricity dues before his/her application for the grant of new electricity connection be accepted and or approved as per DERC Guidelines. OP also quoted various citations Hon'ble High Court of Delhi, in which Hon'ble High Court has held that as DERC Guidelines, it's mandatory to clear the outstanding electricity dues as may be pending against the premises before the grant of new electricity connection.

4. Heard both the parties and perused the record.
5. The issue in this matter is mainly whether the connections vide applications no. 8005739550, 8005739574 & 8005739590 are to be released or not.

  

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6. Heard the arguments of Authorized Representative of the complainants and OP-BYPL. Representative of the complainants has submitted that they are ready to pay the pro-rata amount bill of the pending dues at the premises.
7. In this record submission of LR of OP it has been submitted that they have calculated the pro-rata amount and the net payable amount is Rs. 5136/- i.e. Rs. 1712/- for each connection.
8. Therefore, we are of considered opinion that OP should raise the pro-rata bills to the complainants and release the new connection after payment of the same.

ORDER:-

Complaint is allowed. Respondent is directed to release the new connection to the complainants after payment of pro-rata dues raised by them and also after completion of other commercial formalities as per DERC Guidelines.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.


(S.R. KHAN)
MEMBER-TECH


(P.K. SINGH)
CHAIRMAN


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(VIJAY SINGH)
MEMBER