



C A No. Applied For
Complaint No. 315/2023

In the matter of:

ZahiruddinComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A Alvi, Member (CRM)
3. Mr. S.R. Khan, Member (Technical)
4. Mr. H.S. Sohal, Member

Appearance:

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

ORDER

Date of Hearing: 28th November, 2023

Date of Order: 04th December, 2023

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

1. By way of present complaint, the complainant has sought directions of this forum to OP, to release new electricity connection applied by him vide application nos 8006422222, 8006424144, in premises no. F-97, GF, F-block, Jawahar Park, Laxmi Nagar, Delhi-110092. This complaint is against rejection of the application of the complainant by the OP alleging that there are dues at site. Complainant alleges that the said dues do not pertain to applied premises but to some other one.

*For
Secretary*

Attended True Copy

Secretary
CGRF (BYPL)

[Handwritten signatures]

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2. On notice, OP by filing its reply states that complainant is seeking two new electricity connections one on ground floor, and other on upper ground floor, of property bearing no. F-97, F-block, Jawahar Park, Laxmi Nagar, Delhi-110092 vide applications no. 8006424144 and 8006422222. One of the two applications bearing no. 8006422222 is filed on behalf of Tabassum Farah for upper Ground Floor, while there is no letter of authority on her behalf in favour of either the complainant or her counsel. Thus the complaint in respect of application bearing no. 8006422222 is not maintainable having no locus. OP further states that the application of complainant was rejected as it was found upon inspection that there exist enforcement dues pertaining to the subject premises as per details hereunder:-

S.No.	Outstanding dues	CA No.	Name	Address
1	11982/-	152020317	Wajid Shakeel	F-97, Gf
2	616/-	350508971	Rehana Begum	F-97
3	31390/-	100940975	Ram Dhali	F-97A

Reply also states that to prove complainant's plea, that the enforcement dues of CA no. 100940975 belong to some other premises bearing no. F-97-A and does not pertain to his premises, chain of documents was sought which he failed to submit. This dues is against one Ram Saran Dhali, who as per previous documents was owner of the property, applied premises are part whereof.

3. The counsel of the complainant filed its rejoinder refuting the contentions of the respondent as averred in their reply and reiterated his original complaint. Both the parties were directed to conduct site visit and to submit its report.

*for
Ahasini*

A tested True Copy

Secretary
CGRF (BYPL)

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4. The joint site visit on 03.10.2023 could not take place as premises found locked. Joint visit was again conducted on 10.10.2023 as per this visit report dues of CA No. 152020317 and 350508971 have been received, leaving CA No.100940975 outstanding against complainant who is found beneficiary thereof as dues sequence and applied building sequence are same.
5. Heard and perused the record. During the course of arguments on 28.11.2023, counsel of the complainant stated that he is willing to pay the outstanding dues, and requested for waiver of LPSC from the outstanding dues. It is also requested by the complainant that as the dues are pertaining to the year 2016 fixed charges from the outstanding bills be also waived off.


ORDER


Complaint is allowed with the direction to OP to revise the bill of the complainant by waiving off entire LPSC and waiving off fixed charges of only three months within one week.

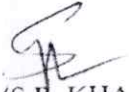
OP is further directed to release the new electricity connection to the complainant after, payment of revised bill as stated above and completion of other commercial formalities as per DERC Regulations 2017.

No order as to cost. Compliance report within 21 days of receipt of this order be filed by the OP in this Forum.

File be consigned to Record Room.

For

(H.S. SOHAL)
MEMBER


(NISHAT A. ALVI)
MEMBER (CRM)


(S.R. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN
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Secretary
CGRF (BYPL)