

C A No. 100999890
Complaint No. 19/2020

In the matter of: \

Bina KhamarComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. None present on behalf of the complainant
2. Mr. Imran Siddiqi, Mr. Prashant Tikadar, Mr. Jagatheesh Kannan & Mr. B.B. Sharma, On behalf of BYPL

ORDER

Date of Hearing: 30th July, 2020

Date of Order: 04th August, 2020

Order Pronounced by:- Dr. Harshali Kaur, Member (CRM)

Briefly stated facts of the case are that the respondent disconnected the electricity connection installed at her premises.

It is also the submission of the complainant that she is the owner of the build-up property bearing no. F-11, street No. 7, Laxmi Nagar, Delhi-110092. She purchased the said property from Mr. Surender Nath Sinha.

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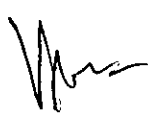

She further added that an electricity connection vide CA No. 100999890 was installed in the said property in the name of Mr. Surender Nath Sinha, the erstwhile owner of the property. She also stated that after sale of the property by Mr. Surender Nath Sinha, he has no right to apply for meter removal process.

It is also her submission that the respondent removed the electricity meter from her property without her permission. Therefore, she requested the Forum to direct the respondent company for immediate re-connection of her connection.

The respondent company submitted their reply stating therein that electricity connection vide CA No. 100999890 is registered in name of Sh. Surender Nath Sinha, the said registered consumer, applied for disconnection on 13.03.2018. Subsequently, on 01.02.2019 as the premises was locked so only the service line was removed. Thereafter, on 22.01.2020, the meter was removed.

Respondent further submitted that no complainant or request was received from complainant for reconnection or non-receiving of bills for the said connection. The complainant also never applied for name change. It is also submitted that a complaint for said meter lying at the premises was received from some Vishnu Sharma (on behalf of Surender Sinha) on 09.01.2020 and subsequently, the said meter was removed from site. It is further added that at present two electricity connections exist at site in the name of Ms. Pushpa vide CA No. 152922009 and Ms. Bina Khamar vide CA no. 152922014.

The matter was listed for hearing on 23.03.2020, but due to Covid19, Forum was closed and hearing is now conducted on 17.07.2020 through video-conferencing.

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The matter was heard on 17.07.2020, when an opportunity was given to both the parties to resolve the matter amicably regarding connection/disconnection.

The matter was finally heard on 30.07.2020, when none was present on behalf of the complainant. The Forum tried to reach the complainant telephonically but his phone was switched off. Respondent also submitted additional reply in which it was submitted that the premises of the complainant has four floors having eight flats and all the flats (separate dwelling units) are energized through separate meters. Total nine (9) meters are installed in the building of the complainant including one meter of the lift. The details of the all the nine connections are as follows:-

S.NO	NAME	METER NO.	DATE OF INSTALLATION	FLOOR
1	SATYA SAURABH	55220155	25.09.2019	UG/F
2	NEHA KUMARI	55220156	25.09.2019	UG/F
3	BINA KHAMAR	55220157	25.09.2019	F/F
4	USHA RANI	55220158	25.09.2019	F/F
5	RAJKUMAR AGGARWAL	55220159	25.09.2019	S/F
6	ILA BEN	55220160	25.09.2019	TH/F
7	PUSHPA	55219993	25.09.2019	TH/F
8	BINA KHAMAR	55219994	25.09.2019	S/F
9	BINA KHAMAR	17146757	05.11.2019	TH/F

We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find as under:

That upon the application of erstwhile owner of the property the service line of the connection vide CA no. 100999890 was removed on 01.02.2019 as the premises were found locked.

That the complainant purchased the said premises from Sh. Surender Nath Sinha vide registered deed dated 27.02.2019.

Thereafter, on 22.01.2020 the respondent company removed the meter from site.

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From the above observations we are of the opinion that the erstwhile owner of the property i.e. Sh. Surender Nath Sinha had already applied for disconnection of electricity connection vide CA No. 100999890 before selling his property to complainant i.e. Bina Khamar (present owner of the premises). Because the premises were lying vacant and locked therefore the respondent was unable to disconnect the meter.


In the present situation the building was purchased by the complainant after disconnection and reconstructed the whole building and every floor has connection as per report filed by the respondent and one additional connection is also there for lift. Total nine meters are installed in the building. So, the connection of CA No. 100999890 in the name of Sh. Surender Nath Sinha cannot be restored now. The application of complainant for re-connection is dismissed.

In view of the above, the case is dismissed.

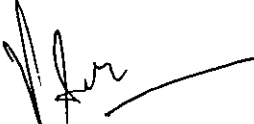
However, in the interest of justice the complainant has the opportunity to file afresh for new connection in her name.

No order as to the cost. A copy of this order be sent to both the parties and file be consigned to record room thereafter.

The order is issued under the seal of CGRE.


(HARSHALI KAUR)
MEMBER (CRM)


(ARUN P SINGH)
CHAIRMAN


(VINAY SINGH)
MEMBER (LEGAL)