



C A No. 151192905
Complaint No. 32/2021

In the matter of:

Sumitra BhandariComplainant

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. Mr. Ramesh Baluni, Husband of Complainant
2. Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 16th April, 2021

Date of Order: 15th May, 2021

Order Pronounced by:- Mrs. Vinay Singh, Member (Legal)

Briefly stated facts of the case are that the complainant applied for new connection and the respondent did not release the new connection.

It is also her submission that she applied for new electricity connection on 27.11.2020 in the name of Sumitra Bhandari, at premises no. I-72, Garhwali Mohalla, Laxmi Nagar, Delhi-92 vide request no. 8004645987, 8004647995, 8004646006, 8004646020 and 8004646029. She further submitted that respondent rejected her applications for new connection on pretext of building booked by MCD on 31.05.2019.

Harshali Kaur
Arun P Singh

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It is also her submission that the property which is booked by MCD is not her property, it is property of her neighbor and same was booked by MCD in the name of builder Abhay. The property of Abhay was booked by MCD on 31.05.2019 and now the meters on the said property has been released by the respondent vide meter no. 152923099, 152923101, 152923098, 152923100 and 152923055.

She started construction in her plot on 08.03.2020 and got temporary meter vide meter no. 35021329, how her building can be booked in the year 2019 when she started construction in the year 2020. Therefore, she requested the Forum to direct the respondent company for immediate release of the new connection.

Notices were issued to both the parties to appear before the forum on 19.03.2021.

The respondent company submitted their reply stating therein that in the present case the complainant applied for five new electricity connections at house no. H-15, Gharwali Mohalla, Laxm Nagar, Delhi-110092 vide request no. 8004645987, 8004645995, 80046460006, 8004646020 and 8004646029 on 19.11.2020. The said requests of the complainant were rejected due to being the address of the premises for which the new electricity connections are applied, were appearing in the objection list of EDMC. All the applications of new connection pertains to same premises and the said premises is in EDMC objection list.

The matter was heard on 19.03.2021, when complainant is present in person and submitted documents regarding NOC from EDMC for the premises. The respondent was directed to check the documents provided by the complainant and also try for resolution of the complaint amicably. Respondent was also directed to not to disconnect the present temporary connection of the complainant till the final orders of the forum.

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The respondent vide their mail dated 05.04.2021 submitted that the documents provided by the complainant from MCD does not include any NOC or building completion certificate on the basis of which the respondent release the new connection where the address is found in MCD objection list.

On hearing dated 06.04.2021, the respondent has filed that I-72 is booked by EDMC, but the complainant submitted that he has I-72A and wants to install meter at I-72A. No document in support was filed by the complainant in respect of ownership of I-72A. Property papers submitted by complainant also shows property address I-72. Complainant was directed to clarify the details of I-72A on the basis of which he is claiming electricity connection for I-72A.

The matter was finally heard on 16.04.2021, when arguments were heard. Complainant submitted before the Forum that he has obtained document on I-72A, on the basis of which he is claiming connection. Complainant is directed to submit the document in the Forum within next three working days. Matter is reserved for orders.

The complainant vide mail submitted the documents as asked by the Forum on the last date of hearing.

The main issue in the present case is whether the connection can be released to the complainant or not.

We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the documents submitted by the complainant are in respect of property no. I-72, Garwhali Mohalla, Laxmi Nagar, Delhi-110092 and the same property is booked by EDMC. The EDMC certificate submitted by the complainant does not include any NOC or building completion certificate.

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In view of the above, we are of considered opinion that in the absence of clear NOC or completion certificate by EDMC, the connection to the complainant cannot be released.

Therefore, we direct:-

- The respondent is directed that the temporary connection installed at the premises of the complainant should be taken care in view of DERC Regulations 2017.
- That the respondent is directed to release the new connection of the complainant as and when they receive the NOC or completion certificate by EDMC.
- Also, that the complainant fulfills all the commercial formalities as per DERC Regulations 2017.

The case is disposed off as above.

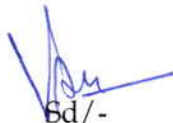
No order as to the cost. A copy of this order be sent to both the parties and file be consigned to record room thereafter.

The order is issued under the seal of CGRF.

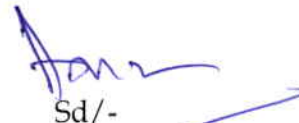
The compliance should be reported within 30 days. The order is issued under the seal of Consumer Grievance Redressal Forum (BYPL).


Sd/-

(HARSHALI KAUR)
MEMBER (CRM)


Sd/-

(VINAY SINGH)
MEMBER (LAW)


Sd/-

(ARUN SINGH)
CHAIRMAN