

**CA No. Applied for**  
**Complaint No. 223/2022**

**In the matter of:**

Pankaj Kumar .....Complainant

**VERSUS**

BSES Yamuna Power Limited .....Respondent

**Quorum:**

1. Mr. P.K. Singh, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

**Appearance:**

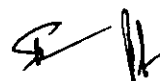

1. Mr. Pankaj Kumar, Complainant
2. Mr. Imran Siddiqi, Ms. Ritu Gupta, Ms. Shweta Chaudhary, Ms. Seema Rawat, Ms. Maninder Babbar & Ms. Shubham Singh, On behalf of BYPL

**ORDER**

Date of Hearing: 15<sup>th</sup> December, 2022  
Date of Order: 22<sup>nd</sup> December, 2022

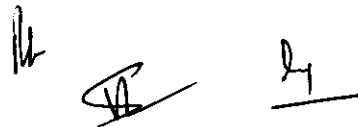
**Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)**

1. Present complaint has been filed by the complainant alleging that complainant's application for new connection has been rejected on the pretext of ownership dispute. Complainant, pleading that respondent has wrongly concluded that there is ownership dispute/court case; therefore, he has prayed this Forum for grant of his complaint by issuing directions to the respondent to allow his applications for new connection.

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2. The complainant in complaint stated that he lives at premises no. 517/1, Jawala Nagar, Delhi-32 and applied for new electricity connection vide order no. 8005878951 but respondent rejected his applications for new connection on pretext of ownership dispute/court case as per clause no 11 (2-iv) of DERC Supply code. . Therefore, complainant's application for new connection may be granted.
  
3. Respondent in its reply briefly stated that complainant has applied for connection vide request no. 8005878951 dated 29.08.2022 for first floor at property bearing no. 517/1, Jwala Nagar, Shahdara, Delhi-32. OP further submitted that on site inspection it was found that on account of outstanding dues, the request of complainant was rejected. In the meantime, respondent received complaint of complainant's brother on 08.09.2022 in which he stated there is dispute between them in respect of subject property and the documents submitted by complainant are forged and fabricated.
  
4. Heard both the parties and perused the record.
  
5. Heard the arguments of Authorized Representative of the complainant and OP-BYPL. Representative of the complainant submitted that already one connection on ground floor of the subjected premises is installed in the name of complainant and now he had applied for new connection on the first floor of the same premises. Complainant further submitted that there is no dispute among the brothers and he has inherited the property and has papers to prove it.



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6. In this record, LR of OP submitted that they received objection from Sh. Yogesh, brother of the complainant on 08.09.2022 in which he stated that the documents supplied by Sh. Pankaj for release of new connection vide application no. 8005878951 are forged documents and there is dispute between them in respect of property no. 517/1, Jwala Nagar, Shahdara, Delhi-32. However, OP could not show existence of any case pending in Court or any Forum for dispute about property ownership. They also couldn't say that the complainant was not in possession of property for which the connection is applied.
7. The main issue in the present case is whether a new electricity connection can be given to the complainant if there is property dispute among the brothers.
8. From the perusal of record and pleadings of the parties on record we find that an electricity connection on the ground floor of the premises no. 517/1, Jwala Nagar, Shahdara, Delhi-32 in the name of the complainant i.e. Sh. Pankaj already exists. The complainant has inherited the property and in possession of the property for which electricity connection is applied. The Forum feels that OP should not have any objection in releasing the new connection to the complainant, in view of the above.
9. Therefore, we are of considered opinion that complainant cannot be deprived off with his right of getting basic requirements.

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
ORDER


The complaint is allowed. OP is directed to release the new connection to the complainant as per above stated directions and completion of all the necessary commercial formalities.

The OP is also directed to file compliance report to this office within 21 days from the issue of this order.

**The case is disposed off as above.**

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

  
(P.K. AGRAWAL)  
MEMBER (LEGAL)

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

  
(P.R. SINGH)  
CHAIRMAN