

Consumer Grievance Redressal Forum  
FOR BSES YAMUNA POWER LIMITED  
(Constituted under section 42 (5) of Indian Electricity Act. 2003)  
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,  
Shahdara, Delhi-110032  
Phone: 32978140 Fax: 22384886  
E-mail: cgrfbypl@hotmail.com  
SECY/CHN/01/08NKS

CA No. 150553438  
Complaint No. 71/2019

In the matter of:

Mahavir Singh .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

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

Appearance:

1. Mr. Mahavir Singh in person alongwith Mr. Anil Kumar
2. Mr. Imran Siddqi, Mr. Vijay Rana, Mr. Achal Rathi & Mr. B.B. Sharma, On behalf of BYPL

ORDER

Date of Hearing: 13<sup>th</sup> December, 2019  
Date of Order: 20<sup>th</sup> December, 2019

Order Pronounced By:- Mr. Arun P Singh (Chairman)

Briefly stated facts of this case are that the complainant sought withdrawal of illegal dues transferred by the respondent to his CA No. 150553438.

It is his submission that he purchased property having no. Kh. No. 482, Block-C, Gali No. 7, Saboli Extn., from Smt. Kamlesh on 09.06.2010. Already an electricity connection was installed in the said premises with CA No. 150553438, subsequently he got the same connection transferred to his name.

*Harshali Singh*

*Arun*

1 of 3

*V.A.*

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It was also his case that he was regularly paying the bills, suddenly the bill dated 31.08.2019 erred in adding an amount of Rs. 42,761.22/-. He approached the respondent for rectification of the bill and the respondent informed him that the arrears are transferred dues of the disconnected connection bearing CA No. 101578382 in the name of Sh. Radhey Shayam. Respondent also informed him that as per Regulation 52 (3) of the DERC Supply Code Regulations 2017, they have transferred the dues of disconnected connection to his live connection and the notice dated 09.05.2019 was not received by him.

He further stated that dues are for the period 2005 to 2007 and as per DERC Regulations 2017 vide gazette notification dated 24.05.2019 Regulation 17 (1) clause (iii) the said arrears are not recoverable from him. He requested the Forum to direct the respondent company for setting aside illegal dues from his electricity bill and stay on disconnection.

On notice the respondent company appeared before the Forum and submitted their reply. The case was listed for hearing before the Forum and both the parties were heard extensively.

The respondent in their reply stated that an electricity connection vide CA No. 101578382 was installed at Kh. No. 482, Gali No. 7, Saboli Extn., Delhi-110093, on 05.05.2005 in the name of Radhey Shayam and same was disconnected on 23.03.2007 due to non-payment of dues. It was also their submission that a site visit was conducted on 07.05.2019 and it was found that a disconnected connection bearing CA No. 101578382 was now providing electricity through live connection registered in the name of Mr. Mahavir Singh bearing CA No. 150553438. Accordingly, the registered consumer of the live connection was served with notice dated 09.05.2019 in terms of DERC Supply Code 2017, whereby the consumer was issued a demand notice for the amount and was

*Radhey Shayam*

*Amr*

*Shan*

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asked to present his case, but none appear from the complainant's side, thereafter, the dues amounting to Rs. 42759.48/- was transferred to the live connection of the complainant.


The complainant also submitted his rejoinder refuting therein the contentions of the respondent as averred in their reply and reiterated his original complaint.

The Forum tried to resolve the dispute amicably between the parties and gave time to resolve the dispute as Hon'ble Supreme Court also tries for settlement/resolve the dispute instead of going through the long proceedings in courts as observed by the Hon'ble Supreme Court in Gujrat Urja Vikas Nigam Limited Vs. ESSAR Power Limited (2008) 4SCC755 to refer or try the dispute to arbitrator for the appointment of arbitrator for resolving the dispute amicably.


As per the guidelines of resolution of the dispute, the forum tried to resolve the dispute between the parties. In the present case the Forum has given proper time to hear the case and resolve the dispute, and reserved for orders on 13.12.19 and further gave one week's time for resolving the dispute. The result of which is that the dispute has been resolved between both the parties and filed their letter of withdrawal/satisfaction letter dated 19.12.19.

The case is disposed off as above.

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

  
20.12.2019  
(HARSHALI KAUR)  
MEMBER (CRM)

  
(ARUN P SINGH)  
CHAIRMAN

  
(VINAY SINGH)  
MEMBER (LEGAL)