

OFFICE OF ELECTRICITY OMBUDSMAN

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)

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Appeal No. 04/2026

(Against the CGRF-BRPL's order dated 14.01.2026 in CG No.184/2025)

IN THE MATTER OF

Smt. Sunita Devi

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Smt. Sunita Devi alongwith his son, Shri Vikas, and Shri A. K. Thakur & Shri Ningthem Oinam, Advocates.

Respondent: Shri Sudarshan Bhattacharjee, DGM, Shri Amitabh Srivastava, Sr. Manager & Shri Shreyek Gupta, Advocate, on behalf of BRPL

Date of Hearing: 22.04.2026

Date of Order: 24.04.2026

Order

1. Appeal No.04/2026 dated 13.02.2026 has been filed by Smt. Sunita Devi, W/o Shri Ranbir Singh, R/o 1st floor, Flat - A-1, Shree Krishna Apartment, Near Charan Singh Farm, 100 feet road Ghitorni, New Delhi - 110030, through AKT Law Associates, against the Consumer Grievance Redressal Forum – BSES Rajdhani Power Limited (CGRF-BRPL)'s order dated 14.01.2026 passed in CG No.184/2025.

2. The background of the case presented before the Forum, as per the Appellant, is that she is the lawful occupant and owner of a premises, located at Khasra No.347, Ground Floor, Village Ghitorni, New Delhi - 110030. The said premises was purchased from the previous owner Shri Ram Singh



Soni on 02.08.2025 after executing the relevant transfer documents, viz., General Power of Attorney (GPA), Agreement to Sell and Purchase, Affidavit, Will, Possession Letter and Receipt, for a valuable consideration. Subsequently, a new temporary electricity connection was applied by her at the aforesaid premises. However, the application was rejected on 25.10.2025 by the Respondent citing an ownership dispute and the necessity for system augmentation as grounds for refusal under the DERC Supply Code, 2017. Appellant contended that Respondent, in its reply dated 10.11.2025, specifically pointed to an FIR filed by one Shri Gauri Shankar as evidence of a title dispute over the property pertaining to Khasra no.347 and other Khasra nos. However, the Appellant argued that electricity is an essential service and cannot be withheld due to a pending property dispute.

The Appellant asserted that she has no involvement in any litigation and is in settled, bona fide possession of the premises. She further asserted that a prior civil dispute (CS No. 55970 of 2016) with Shri Gauri Shankar was finally settled via a court order/compromise deed dated 25.09.2018 before the Additional District Judge, Patiala House Courts, New Delhi, under which a land measuring 2 Bighas 16 Biswas has already been settled and transferred in the name of Shri Ram Singh (previous owner) by Shri Gauri Shankar. Although a subsequent FIR was filed in 2022 by Shri Gauri Shankar but the investigation ended in a closure report dated 04.10.2024 with no adverse inferences regarding the previous settlement. Hence, Shri Ram Singh Soni held clear and undisputed possession of the property. The FIR filed by Shri Gauri Shankar primarily named Krishan Kumar and Rajesh Kumar in relation to the share of the property claimed. A civil suit was also filed by Shri Gauri Shankar for declaration and repossession of land measuring 18 Bighas and 2 Biswas before the Delhi High Court in CS (OS) 868 of 2023, which is still pending for adjudication. Given these facts, the Appellant requested to grant the required connection at her address.

3. The Discom, in its written submission, presented before the Forum, stated that premises is subject to ongoing civil and criminal disputes. The Police, in its Final Report, confirmed that the title remains with the complainant, Mr. Gauri Shankar, and suggested that a breach of contract by both parties has surfaced. Although a settlement was reached on 25.09.2018, the FIR was filed later on 11.04.2022, naming the previous owner, Shri Ram Singh, as an accused. Because the police report confirmed the title is still vested with the Appellant and a dispute exists, the applied connection was denied by the Discom.



4. The Forum, in its order dated 14.01.2026, observed the dispute pertains to 18 Bighas and 2 Biswas out of a total of 23 Bighas and 19 Biswas, which includes Khasra No.347. Therefore, it is evident that the settlement before the Additional District Judge at Patiala House Court remains unchallenged. The Forum further observed that there is no evidence in the record indicating that, in accordance with the Compromise Deed before the Patiala House Court, the land allocated to Shri Ram Singh was registered with the relevant Sub-Registrar. Consequently, Shri Ram Singh's name was not updated in the revenue records. However, the Respondent argued that the property allocated to Shri Ram Singh has not been demarcated on-site through a map, either in the compromise deed in court or in the revenue map. Furthermore, because there is no site map or physical demarcation identifying the specific portion of the land settled, the property remains legally unidentifiable. Consequently, the Forum upheld the Respondent's objection and concluded that solely based on the GPA in favour of the Appellant, the requested temporary connection could not be granted to him.

5. The Appellant, dissatisfied by the order dated 14.01.2026, passed by the CGRF-BRPL, has preferred a writ bearing WP(C) no.1953 of 2026 before the Hon'ble High Court of Delhi. The writ was disposed of while granting liberty to the petitioner (Appellant) to approach the statutory appellate authority i.e. the Ombudsman. Hence, she has preferred the present appeal through AKT Law Associates, reiterating her stand as before the Forum.

The Appellant has challenged the impugned order on the following grounds:

- (a) The Respondent originally cited a pending FIR and a property dispute as reasons for refusal. However, the CGRF denied the temporary connection solely because the area was allegedly not demarcated. This objection was never even raised by the Respondent, therefore, contradicted the compromise deed dated 25.09.2018 (CS No. 55970/2016) which explicitly states as under:

"In this regard the total land which has been given by the first party to second party is measuring 2 Bighas and 16 Biswas and the said land has been covered by way of a boundary wall by the first party vide a plot measuring 75 ft. X 340 ft.

- (b) A revenue map should not be a basis for rejection. It was the responsibility of the first party, Mrs. Raj Rani, w/o Shri Gauri Shankar,



to get the registration and mutation of names in the revenue records. Despite requests from Shri Ram Singh, they failed to do so. As the Appellant was not a party to the specific proceedings, she has no locus to initiate any action for execution of that settlement agreement herself.

- (c), The CGRF mixed the facts of the two agreements and in its Final Report dated 04.10.2024 concluded a finding as if Shri Ram Singh has committed any breach of the agreement. The said finding was that both the parties have violated the terms of agreement dated 25.03.2019. In reality, Shri Ram Singh was not a party to that agreement of 2019. He was a party to the settlement/compromise deed dated 25.09.2018, which resulted in a court decree. The CGRF's findings are based on a confusion between these two distinct documents.
- (d) The connection was sought for the sole purpose of house construction. Although the Appellant has managed to build a basic G+3 structure using a portable generator, significant work remains. The connection cannot be denied based on speculation, especially since no court has issued an injunction or stay order. Furthermore, electricity is an essential service and a fundamental Right to Life under Article 21 of the Constitution of India. This action has caused undue harassment to the Appellant. Furthermore, Shri Ram Singh, who also resides within the same compound, has already been granted an electricity connection at his premises, situated at Khasra No.348/2/1.

The Appellant has prayed the following:

- (a) To set aside the order dated 14.01.2026 passed by the CGRF-BRPL.
- (b) To direct the Respondent to release the electricity connection to the Appellant.
- (c) To pass any other or further direction which the Hon'ble Ombudsman may deem fit and proper.

6. The Discom, in its written submission to the appeal, reiterated the facts previously presented to the CGRF-BRPL. Respondent asserted that the CGRF correctly passed the order against the Appellant because the premises could not be

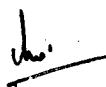


identified. The Respondent argued that the Appellant's claim of a boundary wall is unverified, as the existence of such a boundary wall on a plot larger than 20 Bighas remains unknown. Furthermore, while the Appellant now relies on a registered declaration deed dated 24.10.2019, the Discom contended that this document is inadmissible because it was not presented to the CGRF. Even if considered, the deed lacks a property map, and no sale deed was ever executed following the initial compromise agreement.

Regarding the Appellant's reliance on Shri Ram Singh's electricity connection to identify the property, the Respondent asserted that this evidence is also inadmissible as it was not disclosed during the initial proceedings. The Discom further asserted that while Shri Ram Singh's connection exists, it is located on a different plot and was installed before any FIR/civil disputes arose. Additionally, an inspection report for the premises shows only one old meter no.41074267 (CA No.102331605). It was energized on 28.01.2005, in the vicinity, in the name of Ashok Kumar Soni, indicating that the applied premises is not near Shri Ram Singh's connection, further proving that the specific location remains unidentifiable.

7. The appeal was admitted and fixed for hearing on 22.04.2026. During the hearing, the Appellant was represented by his son and advocates. Respondent was represented by its representatives/advocate. An opportunity was given to both the parties to plead their respective cases at length and relevant questions were asked by the Ombudsman and Secretary, to elicit more information on the issue.

8. During the hearing, the Advocate representing the Appellant reiterated the arguments, claims, and requests presented in the appeal. The Advocate argued that the application for new connection (temporary) was denied on two grounds: (i) a dispute over ownership and (ii) the necessity for System Augmentation. However, the Respondent did not raise the issue of demarcation or identification as a reason for refusal. The Advocate referenced the judgment dated 13.05.2022 under Crl. Appeal No.810 of 2022 issued by the Hon'ble Supreme Court in the case of Dilip (Dead) through LRS. Vs. Satish & Others, which asserts that electricity is a fundamental amenity from which an individual cannot be deprived. Additionally, reference was also made to an order dated 16.05.2024 passed by the Ombudsman in the matter of Smt. Kamlesh vs. BSES Yamuna Power Limited. The Advocate contended that neither the ownership dispute nor the issue of demarcation or the boundary wall of the applied property (Khasra No.347) remains unresolved, as clarified in the Compromise Deed dated 25.09.2018. There is no dispute regarding the land of 2 Bighas and 16 Biswas. Furthermore, an electricity connection (domestic



category) was installed on 15.11.2019 in the name of the previous owner, Shri Ram Singh Soni, at Khasra No.348/2/1, Ground Floor, which confirms that the area is demarcated. Moreover, any ongoing dispute is subject to the jurisdiction of the civil court. Hence, Advocate requested to grant the temporary electricity connection to the Appellant for completion of construction.

9. In response, the Advocate representing the Respondent reiterated the arguments and objections that were presented in the written submission to the appeal. The Ombudsman emphasized that the inspection report of the premises in question, along with photographs of the site, specified the area, which was the reason for the rejection of the request. The Advocate contended that there is no issue of ownership. However, the issue of identifying or demarcating the land persists, as the declaration deed dated 24.10.2019 (not presented before the CGRF) does not include a map demarcation of the property. Additionally, the Secretary pointed out that out of a total land area of 23 Bighas and 19 Biswas, approximately 5 Bighas are not in dispute since some portions have been sold to others. Nevertheless, the remaining land of 18 Bighas and 2 Biswas is challenged by Shri Gauri Shankar for declaration and repossession. This fact is admitted by him in his civil suit no.CS(OS) No.868 of 2023. However, the Advocate admitted the fact regarding dispute over the 18 Bighas and 2 Biswas of land but contended on the specific identification of the applied land in Khasra No.347 remains unclear due to the large area lacking a defined boundary wall. Thus, requisite electricity connection could not be granted by the Respondent due to the absence of clear property identification of the plot.

10. Having taken all factors, written submissions and arguments into consideration, the following aspects emerge:

- a) Smt. Raj Rani and Shri Gauri Shankar were co-owners of 23 Bighas and 19 Biswas of agricultural land in Village Ghitorni (including Khasra No. 347). Pursuant to a court-recorded compromise deed dated 25.09.2018 before the Additional District Judge (ADJ), 2 Bighas and 16 Biswas of Khasra No. 347 were transferred to the occupant, Shri Ram Singh.
- b) In Civil Litigation (CS (OS) No. 868/2023); title - *Gauri Shankar & Ors. vs. Krishan Kumar @ Kishan & Ors.*, a dispute was raised regarding 18 Bighas and 2 Biswas of the total land. Notably, the prior settlement regarding the 2 Bighas and 16 Biswas in Khasra No. 347 remains unchallenged in these proceedings.



- c) In FIR No.53 dated 11.04.2022, Shri Gauri Shankar initiated action against Shri Ram Singh and others. However, the Final Report dated 04.10.2024 concluded that (i) both parties have violated the terms of the agreement dated 25.03.2019, due to which issues arose between them with regard to the share of sale proceeds. The title of property still remains with the Complainant against which he has filed a civil suit against all occupants and other alleged persons into the matter. (ii) During investigation, the allegation of forgery into the matter could not be sustained and breach of contract by both parties had surfaced. However, the criminal case no.47140/2024 is not yet decided and further proceeding was fixed on 28.02.2026 for closure report, as per order dated 03.09.2025 of Ld. Chief Judicial Magistrate, Patiala House Court, but no further update is there on record.
- d) That the dispute is civil in nature, arising from a mutual breach of a contract dated 25.03.2019 regarding sale proceeds. The report found no evidence of forgery and noted that legal title remains with the Complainant (Shri Gauri Shankar)
- e) Appellant has submitted a copy of electricity bill to support that Respondent has already provided a domestic connection in the name of Shri Ram Singh Soni, energized on 15.11.2019 in Khasra No.348/2/1 Village Ghitorni, after the compromise deed executed in the court. The connection has been released subsequent to the settlement deed and the area where the connection has been released is part of that deed i.e. Khasra No.348/2. Similarly, the area i.e. Khasra No.347 where the plot of land of Appellant is situated, is also part of the same settlement. Preponderance of possibility stands in favour of the Appellant and no further demarcation of this plot is required by the revenue authorities for the limited purpose of identity of this plot of land.
- f) The Appellant further produced an unregistered GPA, Notarized on 02.08.2025, Agreement to Sell, and transaction details dated 19.07.2025, executed between Shri Ram Singh Soni and Smt. Sunita Devi for a 200 sq. yard's plot within Khasra No. 347. Possession was reportedly transferred via a possession letter dated 02.08.2025.
- g) The Respondent tried to create a dispute where it was none, had spoken of augmentation, where it was not required and later talked of




demarcation whereas the field engineer had pinpointedly gone to the exact place while giving the report. In a way, Respondent was trying to create hurdles for not giving a temporary connection of 1 KW only for construction purposes while putting the Appellant to unnecessary hardship.

11. In the light of the above, this court directs as under:
- (i) The order dated 14.01.2026 of CGRF-BRRL is set-aside,
 - (ii) Release the temporary connection to the Appellant upon completion of other commercial formalities.
 - (iii) In the interest of natural justice, fair play and equity, Respondent is directed to compensate the Appellant a sum of Rs.2,500/- which would be adjusted against the future bills of the Appellant.
 - (iv) The compliance report be shared with this office in 30 days of the issue of this order.

12. This order of settlement of grievance in the appeal shall be complied within 15 days of the receipt of the certified copy or from the date it is uploaded on the website of this Court, whichever is earlier. The parties are informed that this order is final and binding, as per Regulation 65 of DERC's Notification dated 24.06.2024.

The case is disposed off accordingly.


(P.K. Bhardwaj)
Electricity Ombudsman
24.04.2026