

**OFFICE OF ELECTRICITY OMBUDSMAN**

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

**B-53, Paschimi Marg, Vasant Vihar, New Delhi-110057**

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**Appeal No. 15/2025**

(Against the CGRF-BYPL's order dated 23.01.2025 in Complaint No. 462/2024)

**IN THE MATTER OF**

**Smt. Sheela Panchal**

**Vs.**

**BSES Yamuna Power Limited**

**Present:**

Appellant: Smt. Sheela Panchal along with Shri R.K. Singh,  
Authorized Representative.

Respondent: Shri Nishant Chauhan, Senior Manager, Ms. Chavvi Rani,  
Legal Retainer and Shri Akash Swami, Advocate, on  
behalf of BSES-BYPL

Date of Hearing: 02.07.2025

Date of Order: 03.07.2025

**ORDER**

1. Appeal No. 15/2025 dated 26.02.2025 has been filed by Smt. Sheela Panchal, W/o Late Shri Vinod Panchal, R/o A-434/1, Khasra No. 571, Meet Nagar, Main Wazirabad Road, Delhi - 110094, through Shri R. K. Singh, Authorized Representative,, against the Consumer Grievance Redressal Forum – Yamuna Power Limited (CGRF-BYPL)'s order dated 23.01.2025 passed in Complaint No. 462/2024..

2. The background of the case is that the Appellant had applied for new electricity connection on 03.07.2024, at the above mentioned address vide Request No. 8007040573. The Respondent (Discom) rejected her application on the ground that energy dues against CA No. 101546993 amounting Rs.34,743/- are pending vide its 'Deficiency Notice' dated 3.8.2024. Consequently, the Appellant approached the CGRF on 21.08.2024 stating that her application for new connection was rejected due to an outstanding dues of Rs.35,000/- ,



in the name of Shri Sanjay Panchal, with address A-434/1, Khasra No. 521, Meet Nagar Main, Wazirabad Road, Delhi – 110094. The Appellant clarified that the address where she had applied for new connection is different from the house of Shri Sanjay Panchal, who sold his house (No. A-434/1, Khasra No. 521) many years ago. Now, the registry of the same house at Khasra No. 521, is in the name of someone else. The Appellant requested the Forum to get the inspection of the address from the Sub-Registrar's office, to confirm that her residence/property (Khasra. No: 571) never belonged to Shri Sanjay Panchal but registered in the name of her late husband, Shri Vinod Panchal. The Appellant prayed before the Forum to release her applied new electricity connection without demanding the payment of aforesaid pending dues.

3. The Discom, before the Forum submitted that on inspection of the applied premises, it was found that there were deficiencies, which are in direct violation of the DERC's Supply Code, 2017. Consequently, the Appellant's request for release of new connection was denied. A copy of the Site Inspection Report was submitted before the Forum, and taken on record. The deficiencies detailed were as follows:

(a) The premises in question have outstanding energy dues amounting to Rs.34,743/-, against CA No. 101546993, exists on the same site/premises, and registered in the name of Shri Sanjay Panchal, who was the erstwhile owner and brother-in-law of the complainant. The title documents and 'NOC' issued in favour of the Appellant are invalid and in violation of DERC's Supply Code, 2017.

(b) The title document, which is the purported GPA by Shri Sanjay Panchal and Shri Rampal Panchal, in favour of Shri Vinod Panchal, for the subject premises bearing address A-434/1, Main Wazirabad Road, Meet Nagar, Shahdara, Delhi, does not contain the date of alleged GPA, considering it an invalid and defective title document.

(c) The Appellant initially stated that Shri Vinod Panchal had passed away, raising the question of the issuance of the alleged 'NOC' by him on 28.06.2024. Moreover, the GPA was issued in favour of Ms. Sheela Panchal, shown as the wife of Mange Ram, who actually was her father-in-law. Therefore, it was further doubtful on its legal validity.

(d) The Appellant did not provide any documentary evidence that prove the premises where the connection was applied is different from the premises from those with pending dues.

4. The CGRF-BYPL, in its order observed that the complainant has submitted a General Power of Attorney (GPA) dated 08.04.1999, in favour of Ram Panchal, Vinod Panchal and Sanjay Panchal, along with her application for a new electricity connection. On perusal of the said GPA, it reveals that the property in question is jointly owned by the three brothers. To obtain a new electricity connection in the jointly owned property, it is



necessary to submit a 'NOC' from the other co-owners. Furthermore, the complainant has not produced any document/evidence to establish her ownership or right on the property/premises. Although, a letter from the Area Municipal Councilor was placed on record, it did not substantiate the complainant's claim of ownership or occupation of the property in question. Due to lack of valid ownership and occupancy document, the Forum rejected her application for a new connection.

5. The Appellant, dissatisfied with the order dated 23.01.2025, has filed this appeal contending that the Forum has failed to consider the important documents that could have changed the outcome. The Forum's assertion that she could not establish her ownership of the property is incorrect, as right of the property was acquired by her late husband (Vinod Panchal) along with his two brothers, Shri Rampal Panchal and Shri Sanjay Panchal. The brothers later divided the property among themselves, and the Appellant's property has devolved upon her after the death of her husband Shri Vinod Panchal in 2018. Shri Ramphal Panchal and Shri Sanjay Panchal had disposed of their respective property long back.

Regarding the outstanding dues in the name of Shri Sanjay Panchal, the Appellant submitted that the property was jointly purchased in the names of various family members and later divided among them with distinct house number. Therefore, liability of Shri Sanjay Panchal cannot be imposed on the Appellant. Moreover, Shri Sanjay Panchal got the connection in his name, and, therefore, liability, if any, has to be paid/settled by him only, with whom the Appellant now has no connection at all.

The Appellant therefore requested:-

- (i) To set-aside the CGRF-BYPL's order dated 23.01.2025.
- (ii) To direct the Discom to release the new connection.
- (iii) To grant any other relief as deemed fit and proper, in the interest of justice.

6. The Discom, in its written submission dated 26.03.2025 to the appeal, reiterated the facts as placed before the CGRF-BYPL. Further, the Discom submitted that the new connection was rightly rejected because the Appellant failed to establish ownership of the premises in question, which is in violation of Regulation 10(3) of the DERC's Supply Code, 2017 and due to pending dues at the same premises. Additionally, the instant case is a case of forgery and documents fabrication by the Appellant, for obtaining the connection. The alleged GPA does not contain the details, such as, Khasra No. and the date, clearly evidence of forgery. The Appellant also interpolating amongst the set of title documents forming part of the Forum's record and filed before the Ombudsman, it is clearly visible that how Khasra No. 571 and Khasra No. 521 has been changed. The Appellant has allegedly forged her deceased husband's signature on the document, and even not aware of her real relationship with her family members. Furthermore, the Appellant is also not aware about her locus or in what capacity the connection is being sought by her, as a tenant or an owner.



7. The appeal was admitted and fixed for hearing on 02.07.2025. During the hearing, both the parties were present along with their 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 Advisor, to elicit more information on the issue.

8. During the course of hearing, the Authorized Representative (AR) appearing for the Appellant reiterated the contentions and prayer as in the appeal. As per direction, AR presented the original documents of property before the Ombudsman. All the documents were reviewed carefully by the Ombudsman and the Advisor (Engineering) wherein numerous discrepancies were observed. In response to a query as to whether any documentary evidence viz. partition deed, sub-division document, mutual settlement etc., available to establish the sub-division of joint property, having 350 sq. yards, among the brothers, AR asserted that the property had been divided into the three of them on the basis of a verbal family settlement. However, there is no any written settlement on record and available property documents were already placed on record before the CGRF.

9. In response to further a query regarding NOC dated 28.06.2024, in question, issued by late Shri Vinod Panchal (expired in 2018) in favour of his wife, Smt. Sheela Panchal, AR denied outright to upload either any NOC or related document online while applying requisite connection. He further denied all the allegations leveled by the Respondent in its written submission such as fake and fabricated document of incomplete GPA, executed in 2008 and submission of two sets of documents, having distinct Khasra no.571 and 521. However, the Appellant present submitted that the online application was filled by her children and she is not aware of uploading of alleged documents or other documents. AR asserted that the alleged NOC and other documents were provided to the Appellant by the Respondent before the CGRF. When further asked about signature of the Appellant on the inspection report, AR further denied for carrying out any site inspection by the Respondent.

10. It was observed that on the document Registration number 19082 was mentioned on the General Power of Attorney (GPA), executed on 8th April, 1999 by Shri Darshan Singh in favour of all the three brothers including Shri Vinod Panchal, spouse of the Appellant, the same Registration number was mentioned on the undated, unsigned GPA, executed in October, 2008, by (1) Shri Sanjay Panchal and (2) Shri Ram Pal Panchal, in favour of Shri Vinod Panchal

11. AR was apprised about the applicability of Regulation 10 (3) of DERC Supply Code, 2017, in detail. Attention was invited by the Advisor (Engineering) regarding releasing of the electricity connection to Shri Sanjay Panchal at Khasra No.521 wherein a NOC dated 28.01.2006 was obtained by him from the other two brothers/co-owners, i) Shri Ram Pal Panchal & ii) Shri Vinod Panchal. Similarly, in the absence of valid ownership document, a NOC could also be obtained by the Appellant from the other two co-owners of the property for releasing of requisite connection. As narrated above, AR could not present convincing

*AK*

response to establish his statement that the applied premises, Khasra No.571, is different from the dues premises, Khasra no.521, related to erstwhile owner, Shri Sanjay Panchal and later sold to someone else. However, he reiterated the prayer on humanitarian ground by ignoring Regulation 10 (3) supra. Moreover, he asserted that the claim of the Respondent regarding fabricated NOC as well as GPA could be verified from the competent authority/Revenue Department by the Respondent. Also, the applied premises could be physically verified by the Respondent to establish the fact that the meter, in question, pertains to Sanjay Panchal existed at Khasra no.521 or Khasra no.571.

13. In rebuttal, the Advocate appearing for the Respondent reiterated its contentions as in the written submission with respect to interpolation of two set of title documents amongst Khasra no.571 and Khasra no.521 and invalid forged and fabricated GPA and NOC which need verification. He further submitted that connection was applied on-line and without uploading of the documents by the Appellant, request number of connection cannot be generated. He also submitted that the Discom has no power to verify the genuineness of property documents. In the present circumstances, the requisite connection could not be granted to the Appellant in violation of Regulation 10 (3) supra and pendency of same site energy dues. To establish the ownership, a civil suit for declaration can be filed by the Appellant.

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

- (i) The document produced by Shri Sanjay Panchal while applying for a connection is GPA with address A-434/1, Khasra No. 521, Affidavits and NOC by brothers bearing the same Khasra No, date of GPA is 08.04.1999.
- (ii) Test Report issued by authorized wiring contractor dated 27.01.2006, clearly mentioned address A-434/1, Khasra No. 521, Main Wazirabad Road, Meet Nagar, Delhi, property is in hegemony of Shri Sanjay Panchal.
- (iii) Shri Darshan Singh has executed sale-deed, GPA, Will vide dated 08.04.1999, as 350 sq. yards plot of address A-434/1, Khasra No. 521 in lieu of amounting of Rs.2,40,000/- in favour of Shri Ram Pal Panchal, Shri Vinod Panchal and Shri Sanjay Panchal.
- (iv) Appellant has submitted two sets of documents. In one set, the address is A-434/1, Khasra No. 571, while in the other set, the address is A-434/1, Khasra No. 521, which was also submitted by Discom. There is no record of any sub-division of the property among brothers. The Appellant which applying on-line connection submitted 'NOC' given by her husband in her favour on 28.06.2024, while Shri Vinod Kumar Panchal expired on 04.11.2018, as evident from the Death Certificate. In view of the death of Shri Vinod Panchal on 04.11.2018, the said 'NOC' appears to be fake and fabricated. Further, as per 'NOC' of the



Appellant, her husband is mentioned as Shri Mange Ram (in stead of Late Shri Vinod Kumar Panchal), which again fortify the said 'NOC' is fake and fabricated.

- (v) The said GPA executed by Shri Sanjay Panchal and Shri Ram Pal Panchal, sons of Shri Mange Ram Panchal, in favour of Shri Vinod Panchal, does mention only year 2008 and area 175 sq. yards and House No. A-434/1 but in it details of Date and Khasra No. is not mentioned, and is also not signed by the executants.
- (vi) The Appellant applied for the connection at address 434/1, Khasra No. 571 and on the Discom's site visit in presence of the Appellant on dated 03.07.2024, showing building structure and GIS coordinate having longitude and latitude dated 03.07.2024 at 7:50:35 AM, duly signed by her can't be without physical inspection of site and the site found same where dues of CA No. 101546993, in the name of Shri Sanjay Panchal's address House No. 434/1, Khasra No. 521, exists. This establishes that actual Khasra No. is 521 and not 571.
- (vii) There is no valid ownership document in favour of the Appellant on record, which is a requirement of Regulation 10(3) of DERC's Supply Code, 2017. Also, there are no 'NOC' from other co-owners of property in respect of the applied for connection.

15. In the light of the above, this court directs as under:

- i. Order passed by the CGRF-BYPL is upheld.
- ii. Connection can only be granted after clearance of pending dues and 'NOC' by the Appellant's brother-in-laws (co-owners) in her favour or submitting a valid ownership documents. After that the connection applied for could be released subject to completion of other commercial formalities in accordance with the Regulation 10(3) supra.

The case is disposed off accordingly.

AW  
03.7.2025  
(Ali Zamin)  
Electricity Ombudsman  
03.07.2025