

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. 43/2025

(Against the CGRF-BRPL's order dated 04.09.2025 in CG No.61/2025)

IN THE MATTER OF

Shri Suresh Kumar Singh

Vs.

BSES Rajdhani Power Limited

Present:

Appellant: Shri Suresh Kumar Singh alongwith Advocate, Shri Ayyub Ahmad.

Respondent: Shri Sudarshan Bhattacharjee, DGM, Shri R.S. Negi, DGM, Shri Vijay Pal Singh, GM, Shri M. Sajid Khan, Off. Ass., and Shri Shreyek Gupta, Advocate, on behalf of BRPL

Date of Hearing: 01.04.2026

Date of Order: 06.04.2026

ORDER

1. Appeal No.43/2025 has been filed by Shri Suresh Kumar Singh, R/o Flat No.69/C, Block - H, Saket, New Delhi - 110017, against the Consumer Grievance Redressal Forum – BSES Rajdhani Power Limited (CGRF-BRPL)'s order dated 04.09.2025 in CG No.61/2025.

2. The background of the case, as per the Appellant's complaint dated 16.07.2025, presented before the Forum stated that he had applied for a new electricity connection for the premises situated at House No. 3, Khasra No. 100 & 101, Ground Floor, Village Khanpur, New Delhi-110062. His request was rejected by the Respondent on the following grounds:



- (i) Ownership Dispute
- (ii) Address Discrepancy
- (iii) Litigation over property

However, the Appellant contended that despite submission of all requisite documents in accordance with Regulation 10 (2) & 10 (3) of the DERC (Supply Code and Performance Standards) Regulations, 2017, the application remains pending. The documents provided included:

- (i) **Identity & Title:** The Applicant's Aadhar Card and a General Power of Attorney (GPA) dated 13.07.2024 to establish ownership/occupancy.
- (ii) **Legal proof of occupancy:** A De-sealing Order F.No. 144/SDM/HK/HK/DPCC/Sealing (2019)/2022/8285-89 dated 10.10.2022 issued by the Sub Divisional Magistrate, Hauz Khas.
- (iii) **Statutory Clearances:** MCD authorization for professional activity of Doctors dated 20.08.2019 and Delhi Pollution Control Committee (DPCC) registration/ authorization dated 25.06.2020

In view of above, the Appellant contended that he is in settled occupancy of House No. 3 and is entitled to an electricity connection under Rule 4(9) of the Electricity (Rights of Consumers) Rules, 2020, which mandates only identity and occupancy proof from applicants. In support of his claim, he submitted a DPCC Certificate and a notarized General Power of Attorney (GPA) dated 13.07.2024, executed by Shri Sunil Kumar, asserting that these documents grant him full ownership rights and the authority to have the connection in his name. While the Appellant admitted to the pendency of Civil Suit No. 203/2019 and FIR No. 0184 dated 12.04.2019 against Shri Sunil Kumar and others at the Saket District Court, he relied upon High Court judgment in W.P. (C) 13217/2019 and the Hon'ble Supreme Court judgment in Criminal Appeal No. 810/2022 to justify his request despite the ongoing litigation.

Regarding the address discrepancy, the Appellant contended that the correct address is 3, Ground Floor, as shown in his GPA and all official property documents. He clarified that the address "3A" was an unauthorized creation/manipulation by Shri Sunil Kumar for getting electricity meter referring to the applied property as "3 A" and is not recognized by the MCD or DPCC in its documents. Therefore, he has provided adequate proof of ownership and occupancy. Regarding the ongoing property dispute, he referenced High Court and Hon'ble Supreme Court rulings which states, it is well-settled proposition that even if disputes exist as to ownership of the property for which an electricity connection is sought, the concerned authorities cannot deprive



the legal occupant from getting electricity. Therefore, there is no bar for BRPL from any court against issuing the new connection to the Appellant in the said premises. Accordingly, in the light of these judgements and fulfilling the requirements as mandated by regulations, he has requested for the electricity connection without further delay.

3. The Discom, in its written submission dated 05.08.2025 to the Forum, reiterated its stand previously expressed before the ICGRC. The Respondent asserted that a site inspection had been conducted. Following this, a deficiency letter dated 28.05.2025 was sent to the Appellant, addressing issues related to the DPCC Certificate, mismatch in the address, the requirement for a test report, and a dispute regarding ownership. The application indicated the premises address as House No.3, which matches with the property documents submitted by the Complainant, including the DPCC Certificate, Test Report, and MCD Registration of Professional Activity. However, the de-sealing order issued by the MCD to the Complainant lists the address as House No.3 A. Additionally, the bills for two pre-existing meters (CA No.101815169, 101815155, energized in 2010, at the First Floor & Second Floor) for the same structure specify the address as House No.3A. Furthermore, the documents based on installation of said meters were not traceable due to old meters. Moreover, various correspondences, including copies of police complaints and civil suit from one Shri Joginder, reference the property address as both 3 and 3 A, further complicating the issue of address discrepancies. Furthermore, the Appellant had initially submitted a single document asserting to evidence ownership. However, this document is not recognized under the DERC Supply Code, 2017. Additionally, it is an admitted fact that an FIR has been lodged against the Appellant. In this context, the GPA dated 13.07.2024, executed by Shri Sunil Kumar in favour of the Appellant, along with the ongoing objections raised by Shri Joginder Singh, raises uncertainty upon the ownership. This matter requires clarification by the Civil Court, which is currently pending for adjudication.

4. The Appellant, in his rejoinder dated 07.08.2025 to the written submission, asserted that neither Joginder Singh nor Sunil Kumar has filed an FIR against him. The continuous protests by the Respondent, Joginder Singh, are irrelevant as he has no FIR registered against him or any litigation is pending against him. However, on the other hand, there is an FIR (No. 0184, dated 12.04.2019) against Shri Sunil Kumar and others for a second sale of the property.

Moreover, the Appellant mentioned that there was an old electricity connection in Plot No.3 & meter was being used for welding purposes. However due to heavy outstanding dues, the meter was removed. Later without clearing dues, Shri Sunil Kumar obtained two electric connections on the same plot with address 3 A, First & Second Floors in 2010. The Appellant reiterated that this application is an unequivocal request for a new connection at H. No. 3, Khanpur.



5. The Forum noted that the GPA dated 18.06.2024 was executed by Shri Sunil Kumar, the seller of the property, who had already filed a Civil Suit No. 203/2019 titled *Shri Sunil Kumar vs. Dr. S. K. Singh* before the Additional District Judge, Saket Court, on 26.03.2019. The suit pertains to property bearing No. 3, Khasra Nos. 101 and 100, Ground Floor, and seeks declaration/cancellation of the alleged document dated 08.02.2017 relied upon by the defendant, Dr. S.K. Singh, as null, void ab initio, and illegal. Furthermore, the complainant himself admitted the fact of pendency of civil suit

The Forum upheld the Respondent's decision to reject the application for a new connection in view of the pending civil suit concerning the property and the concealment of this fact at the time of applying. In the absence of clear legal ownership or occupancy, the Forum could not direct the Respondent to release a new connection for the premises. However, the applicant is at liberty to submit a fresh application after the Civil Court has decided the matter.

6. The Appellant, dissatisfied by the order dated 04.09.2025, passed by CGRF-BRPL, has filed this appeal reiterating his stand as before the Forum. The Appellant contended that the Forum failed to consider the judgments of the Hon'ble High Court as well as the Hon'ble Supreme Court placed on record, wherein it has been concluded that even in cases where disputes regarding ownership of the property exist, the concerned authorities cannot deny an electricity connection to a lawful occupant, as electricity constitutes a basic amenity and a person cannot be deprived of the same.

The Appellant has prayed following:

- (a) To set-aside the CGRF-BRPL order dated 04.09.2025 as the same is wrong and against the orders of the High Court of Delhi and the Supreme Court.
- (b) To pass an order in favour of the Appellant for releasing of new electricity connection at the applied premises.

7. The Discom, in its written submission dated 19.11.2025 regarding the appeal, reiterated the facts previously presented to the CGRF-BRPL. Additionally, the Respondent stated that their reliance on the de-sealing order is not intended to prove occupancy, but rather to highlight the discrepancy in the address. Moreover, the Appellant's efforts to justify the address stated in the de-sealing order are irrelevant, as the discrepancy between the address of the existing meter in the structure and the address of the applied connection will persist. It is a matter of record that such connections are also registered under the name of the Appellant, and it is refuted that such connections do not exist. Furthermore, according to the Respondent's



information, the premises have been demolished, and relevant photographs have been submitted as evidence.

8. Appellant, in his rejoinder/written submission, reiterated his arguments explanation and supporting documents to substantiate the issues regarding proof of ownership, occupancy, and mismatch in the address. Moreover, he contended that premises H. No.3 still exists, measuring area 200 sq. yards. However, DMRC has demolished shops in front and on M B Road.

9. The appeal was admitted and fixed for hearing on 01.04.2026. During the hearing, the Appellant alongwith Advocate were present and the 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.

10. During the hearing, the Appellant reiterated the arguments, claims, and requests made before the CGRF, as well as in the appeal and additional written submissions. In response to a query raised by the Ombudsman regarding the duration of his possession of the property, the Appellant stated that he has held it since 2017, when an Agreement to Sell & Purchase was executed on 08.02.2017 between himself and Shri Sunil Kumar (the previous owners), based on a partial payment of Rs.20,00,000/- out of a total property price of Rs.75,00,000/-. Furthermore, in 2018, Shri Sunil Kumar unlawfully again sold the property to Shri Joginder Singh, and an FIR has already been filed against Shri Sunil Kumar, Shri Joginder Kumar, and Shri Hari Singh. The Appellant asserted that his possession of the property is supported by the GPA dated 18.06.2024, notarized on 13.07.2024, and a Deed of Modification of the Agreement to Sell dated 08.02.2017. However, the Appellant was unable to provide a satisfactory explanation when queried about the GPA being executed in 2024 while he took possession of the property in 2017, raising concerns about the source of electricity supply to the premises during the intervening period. When further inquired about the pendency of any case in Court, the Appellant stated that he has withdrawn the case in accordance with the Memorandum of Understanding, as per court's directive. In response to a further query regarding status of demolition, and if so, whether repairs were made, the Appellant indicated that currently, the status is that the shop remains, with only the front portion demolished, and it is the responsibility of the DMRC to repair any damage. Secretary emphasized about the pre-existing meters registered in the name of Shri Sunil Kumar in 2010 at the upper floors, mentioning the address 3 A and queried that the connection could have existed at the ground floor also. Appellant submitted that the Respondent failed to provide documentation supporting the release of two connections that referenced the premises number as 3 A. However, he had applied for the connection at the ground floor of premises no.3.



11. In rebuttal, the Advocate representing the Respondent reiterated the written submissions made before the Forum and the Ombudsman.

12. During the course of hearing, the issue of the address mismatch, whether it pertains to 3 or 3 A, was extensively deliberated with both parties. However, no convincing reply was received from either side.

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

- a) The request made by the Appellant for the release of the electricity connection was denied by BRPL based on two reasons: (i) Ownership Dispute and (ii) Address Mismatch.
- b) That BRPL concluded that since the matter involves a property dispute and there is a civil suit pending in court, the connection cannot be provided to the Appellant.
- c) The Appellant claimed to have submitted pertinent documents that support his arguments, as previously detailed.
- d) It is observed that the Respondent has not rebutted at any stage the Appellant's claim regarding the installation of two electricity connections in the name of Shri Sunil Kumar on the upper floors without clearance of outstanding dues.
- e) That in order to determine the present status of the applied building/structure, as per direction of the Ombudsman, a joint site visit with videography was conducted on 20.02.2026 with the presence of both parties. It was observed that the structure of the applied premises is evidently visible as demolished. Moreover, two electric meters were seen to exist at the site.
- f) However, in response to the site inspection dated 20.02.2026, Appellant filed additional submission alongwith site photograph, reiterating his stand. He asserted that the front portion of the property was demolished; a substantial ground floor area measuring approx. 20-25 feet by 22-25 feet continues to exist and remains structurally identifiable. The Appellant further submitted that in case of requirement, he could undertake the repairs himself.
- g) It is proved beyond doubt that the premises in question is 3 and not 3 A (Khasra no.101/100, Village Khanpur, M.B. Road). The chain of documents provides the same. The GPA made by Shri Sunil in favour of



Appellant and the chain of document suggest that the property is 3, Khasra no.101/100, Village Khanpur, M.B. Road and so as the Will made by the mother in favour of Sunil in the year 2010. The same property as mentioned above has been bequeathed to the mother of Sunil in the year 1999 by one Shri Kishan Lal. Interestingly when Sunil Kumar applies for the connection on the 1st floor/ 2nd floor of the same property, the number changes to 3 A (Khasra no.101/100, Village Khanpur, M.B. Road) and that too in the year 2010 when he gets a Will in his favour for the same property as no.3 (Khasra no.101/100, Village Khanpur, M.B. Road). Respondent claims that the application / related documents are misplaced.


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

- (i) There is no mismatch in the property and no doubt about the occupancy. Discom to release the required connection after completion of commercial formalities and after repair of demolished civil structure by the Appellant making it safe and fit for non-domestic connection.
- (ii) A vigilance enquiry be initiated to ascertain the circumstances as to:
 - (a) How the address was changed from 3 to 3 A.
 - (b) Where are the misplaced papers?
 - (c) Was there any connection released at property no.3 (Ground Floor), Khasra No.101/100, Khanpur, M B Road in the past and its status. In case, a connection was there and there was also outstanding dues, Respondent is directed to recover the dues from Shri Sunil Kumar (who took the connections on the first and second floors in the year 2010).

The result of the enquiry may be shared with this office in next 30 days of receipt of this order.

15. 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
06.04.2026