

Office of the Electricity Ombudsman

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

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Appeal No. F. ELECT/Ombudsman/2014/594

Appeal against the Order dated 11.11.2013 passed by CGRF–TPDDL in the matter of Ms. Megha Goyal vs. TPDDL in CG.No.5552/10/13/BDL.

In the matter of:

Shri Sunil Kumar Bansal - Appellant

Versus

M/s Tata Power Delhi Distribution Ltd. - Respondent

Date of Order : 05.02.2014

ORDER NO. OMBUDSMAN/2014/594

This Complaint was filed by Shri Sunil Kumar Bansal against the order of the Consumer Grievance Redressal Forum - Tata Power Delhi Distribution Ltd. (CGRF-TPDDL) dated 11.11.2013 in the matter of Smt. Megha Goyal vs. TPDDL.

One Smt. Megha Goyal, w/o Shri Sanjay Goyal, claiming to be a tenant of shop bearing No.1, Plot No.1, Ground Floor, Opposite Delhi Technological University, Sector -17, Rohini, Delhi, had approached the CGRF-TPDDL for releasing of a new electricity connection for 2 KW as it was denied to her by the DISCOM in the absence of an NOC from one Shri Surender Kumar Garg, said to be the owner of the shop.

The CGRF ordered, keeping in mind the totality of issues, the grant of a "temporary connection" as a necessary service on the basis of submission of copies of MTNL bill, affidavit & ID proof by Smt. Megha Goyal. The said connection was released subject to the decision of the relevant Civil Court, where


matters are said to be pending. It was also ordered that the Complainant cannot use this temporary connection as evidence for ownership or for release of a permanent connection.

Shri Sunil Kumar Bansal filed a Complaint before this office on 05.12.2013 against the said CGRF order, requesting not to install the temporary connection in the disputed shop as he has filed a Suit before the Civil Judge, Rohini, for recovery of possession against the alleged tenants/illegal occupants. He had also approached the CGRF again on 02.12.2013 but the CGRF had declined to hear him.

The DISCOM objected to this plea mentioning that a Writ petition bearing no.8013/2013 filed by the Complainant before the High Court, Delhi, requesting for stay/quashing of the CGRF's order, had already been dismissed on 18.12.2013.

In view of the above facts, it is clear that the CGRF order has been correctly passed. There are no new grounds, or flaws, for this office to intervene. The High Court of Delhi has already denied him a stay and given him liberty to approach the appropriate Forum/Court, if desired. At best the DISCOM may take an Indemnity Bond from Smt. Megha Goyal making it explicit the release of a connection will not affect the Civil proceedings in any way.

With this amendment of the CGRF order dated 11.11.2013 the appeal is closed.


(PRADEEP SINGH)
Ombudsman
SK
February, 2014