

Office of the Electricity Ombudsman

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

B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057

(Phone No.: 32506011, Fax No.26141205)

Appeal No.730/2016

IN THE MATTER OF:

Smt. Sarnoor Begum - Appellant

Vs.

M/s BSES Rajdhani Power Ltd. - Respondent

(Appeal against Order dated 17.12.2015 passed by the CGRF- BRPL in CG No.:391 & 376/2015)

Present:

Appellant: Smt. Sarnoor Begum with her husband Shri Nawab and Advocate Shri Haider Ali.

Respondent: (1) Shri Noor Alam
(2) Shri Satendra Agrawal, DGM (B), Shri Prashant Saxsena, Manager, Shri Ankit Sharma with Advocates Shri Aditya Gupta & Shri Arav Kapoor, Authorised Representatives of BRPL.

Date of Hearings: 29.03.2016 & 13.07.2016

Date of Order: 13.07.2016

ORDER

1. Appeal No. 730/2016 has been filed by Smt. Sarnoor Begum, R/o 1067, F-1, Ward No. 7, Mehrauli, New Delhi – 110030, against the order of CGRF-BRPL dated 17.12.2015 in CG No. 391 & 376/2015 vide which the latter had declined her plea to disconnect an electricity connection released to her son, Shri Noor Alam.

2. The background of the case, in brief, is that the Appellant, Smt. Begum and her son, live different parts of the same premises. A family dispute has arisen between the mother and her son with a case in this regard having been filed before the civil courts. By the admission of both parties before the CGRF, the son Noor Alam, is in occupation of the front side of the ground floor from where he has been running a shop for the past fifteen years or so with a electricity connection through an existing line. This supply has been disconnected by his mother owing to the

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family dispute between the two as a result of which the son had applied to the Discom for the grant of fresh connection.

3. The mother, Smt. Begum, filed a complaint before the Discom submitting her proof of ownership of the property and demanding that her son's application for a connection be rejected as she had disowned him from the parental property. Despite the application being in order, the Discom declined it on the basis of mother's complaint. Both parties then filed separate complaints before the CGRF, the son requesting for the sanction of the electricity connection by the Discom and the mother, for denying the same.

4. The CGRF noted that the son, Noor Alam, was in occupation of a part of the premises in question for last fifteen years or so, as admitted by both parties, and had been enjoying electricity supply for the shop he was running through an existing connection which had been disconnected by his mother. The Forum held that a new connection could not be denied to the applicant merely on the basis of a complaint from his mother and directed the Discom to grant the connection applied for.

5. The present appeal has been filed by the mother, Smt. Begum, against the CGRF's order. Both parties were present during the hearing. A perusal of the records and the depositions made by the parties before this court makes it abundantly clear that there is underlying family dispute which is already under agitation before a civil court. It is also established that Shri Noor Alam is and has been a bonafide resident of the premises for more than fifteen years. An electricity connection cannot be denied to a bonafide consumer/occupier of premises as long as his application and documentation are in order.

6. Against this background, there are no grounds for interfering with the order of the CGRF which may stand as it is. The present plea of the Appellant, Smt. Begum, before this court, is hereby dismissed.

Sundaram Krishna

**(Sundaram Krishna)
Ombudsman
13.07.2016**

