

CONSUMER GRIEVANCE REDRESSAL FORUM

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)-For BRPL area

Sub - Station Building, Sector - V, Pushp Vihar,

(Near Saket Court Complex) NEW DELHI - 110017

Phones: 8468952631, 8468935702 TELEFAX: 29564400

Email: cgrfbrpl@gmail.com

No: CG -74/2019/F1/...²⁹⁹

Dated : ...30/12/19....

Mohd. Toquir Ahmed
I-111, Ground Floor,
Block-1, Jaitpur Extn.
Part-2, Badarpur
NEW DELHI - 110044

Subject: - Redressal of Grievance by the Forum

Dear Sir,

1. Any complainant, aggrieved by orders of the Forum may himself/herself or through his authorized representative make a representation in writing to the Ombudsman with triplicate sets of application.
2. The representation shall state clearly:
 - (i) The name/s and address of the consumer/s, service connection number, category, the name of the local licensees' office, against which the representation is made, the facts giving rise to the representation, the grounds thereof, the relief sought from the Ombudsman.
 - (ii) The name of the Forum, date of order or decision of the Forum shall, as the case may be mentioned in or enclosed with the representation.
3. No representation to the Ombudsman shall lie unless:
 - (i) The consumer had before making a representation to the Ombudsman approached the Forum constituted under Section 42 (5) of the Electricity Act, 2003 for redressal of his grievance;
 - (ii) The representation is made within one month from the date receipt of the order of the Forum:

Provided that the Ombudsman may entertain a representation beyond one month on sufficient cause being shown by the person filling the representation that he had sufficient reasons for not filling the representation within the aforesaid period of one month.

- (iii) The person filling the representation deposits an amount equal to one third of the amount assessed by the Forum in cash or by way of bank draft with the licensee and documentary evidence of such deposit is enclosed with the representation.



SECRETARY

Encl: Certified copy of order (03 pages).

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No: CG -74/2019

In the matter of:

Mohd. Toquir Ahmed
I-111, Ground Floor,
Block-1, Jaitpur Extn.
Part-2, Badarpur
NEW DELHI - 110044

...Complainant

Versus

BSES Rajdhani Power Ltd.
BSES Bhawan, Nehru Place,
NEW DELHI - 110019.

... Respondent

Coram:

- | | | | |
|----|--------------------|---|--------------|
| 1. | Mr. Atul Nigam | - | Chairman |
| 2. | Mrs. Nirja Ahuja | - | Member (L) |
| 3. | Mrs. Monika Taneja | - | Member (CRM) |

Appearance:

Complainant : Mohd. Toquir Ahmed, Mohd. Khalid and others

Respondent : Mohd. Osama, Engineer (B), Sarita Vihar
Shri Rajesh Kr. Gupta, SO, Coordinating Cell, Nehru Place

(Date of Hearing: 05.12.2019)

(Date of Order: 19.12.2019)

ORDER

Mrs. Monika Taneja, Member (CRM)

In brief, the case is that the complainant is the owner of the property bearing I-111, Ground Floor, Block-1, Jaitpur Extn. Part-II, Badarpur, New Delhi-110044 with CA No. 152846659. He received a letter vide no. DGM/SVR/8/31 from BRPL requesting

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for document verification but at that time he was not present in Delhi. In the given circumstance, BRPL disconnected the connection because the document verification was pending. But now the complainant has completed the necessary formalities of document verification proving his ownership of the said property and requested to install an electricity meter in his name. However, all his efforts went in vain and electricity connection was not released to him. Being aggrieved, complainant filed the complaint before the Forum, which was registered.

On notice respondent appeared and filed its reply and documents before the Forum.

Respondent submitted reply dated 01.11.2019 that the complaint was received from Mohd. Khalid on 11.07.2019 regarding removal of illegal meter installation. He has submitted ownership documents along with his complaint. In this respect, a notice was issued to Mohd. Toquir Ahmad to verify his original documents on 06.08.2019 but he didn't respond against the notice issued to him. Again a reminder notice was issued to Mohd. Toquir Ahmed to get his documents verified. Mohd. Toquir didn't respond on second letter aslo, so supply of above connection was disconnected and meter was removed on 26.10.2019.

During the hearing, on 13.11.2019, respondents submitted that Mohd. Javed and Mohd. Khalid had made a complaint that Mohd. Toqir Ahmad had produced forged documents to the respondents on the basis of which connection was installed. However, on their complaint and production of documents, connection was disconnected by respondent. It was brought to the notice of the forum that this was a property dispute although there is no case registered in any court of law. In the circumstances, the Forum directed the respondent to reconnect the electricity supply and to send the report within two days and complainant was also directed to pay the electricity bills regularly. Hearing notice was sent to Mohd. Javed as he is a necessary party to the case. On 05.12.2019, both parties were present including Mohd. Javed as a third party. Mohd. Javed stated that he had the original documents of the property and the connection should not have been connected after disconnection and further said his documents were original and he had filed complaint in police station regarding this case.

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We have heard the parties at length and also gone through the documents filed by both the parties. We feel that the electricity and water are some of the minimum requirements needed for leading a basic dignified living in a metro like Delhi. Non provision of electricity connection leads to denial of essential service required for basic living. In such cases, the consumers don't have any other option but to resort to indulge in electricity theft. In view of that Forum had directed for restoration of the connection. Also it is clear that there is a property dispute between Mohd. Toqir Ahmed and Mohd. Javed and two set of documents for the same property are being provided, which Forum cannot look into as Forum has no jurisdiction to verify these documents. This can only be settled in appropriate court.

The Forum observed after hearing both the parties that the Forum has no jurisdiction to entertain this complaint because the matter is of a property dispute. Both the parties are free to approach an appropriate court for the redressal of their grievances.

Case is disposed off, accordingly.

Sd/-
(Mrs. Monika Taneja)
Member (CRM)

Sd/-
(Mrs. Nirja Ahuja)
Member (Legal)

Sd/-
(Atul Nigam)
Chairman

