

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. 07/2026

(Against the CGRF-BYPL's order dated 14.05.2025 & Review order dated 05.08.2025 passed in Complaint Nos.04/2025 & R.A.02/2025)

IN THE MATTER OF

Shri Ramesh Kumar

Vs.

BSES Yamuna Power Limited

Present:

Appellant: Shri Ramesh Kumar, in person

Respondent: Shri Ravinder Singh Bisht, DGM (Legal), Ms Divya, Sr. Manager, Ms Monika Sharma, Legal Retainer, and Shri Ashok Kumar & Shri Rahul Saini, Advocates, on behalf of BYPL

Date of Hearing: 21.07.2026

Date of Order: 23.07.2026

ORDER

1. Appeal No.07/2026 has been filed by Shri Ramesh Kumar, R/o 1/6905, Street No.1, East Rohtash Nagar, Shahdara, Delhi - 110032, through Shanky Gupta, Advocate, against the Consumer Grievance Redressal Forum – BSES Yamuna Power Limited (CGRF-BYPL)'s order dated 14.05.2025 & review order dated 05.08.2025 passed in Complaint Nos.04/2025 & RA.02/2025.

2. The background of the case presented before the Forum by the Appellant is that he is a legal occupant of the subject property, residing there continuously since 2002. In that premises, an electricity connection CA No. 154263113 existed in the



name of the registered owner, Smt. Kiran Bala, who expired on 08.06.2023. The Appellant has consistently paid the regular electricity bills. On 18.08.2024, the meter of the aforementioned connection was stolen, prompting him to lodge a police complaint on 27.09.2024 in compliance with Regulation 33 (Stolen Meters) under the DERC Supply Code, 2017. Following the theft, he formally applied for the reconnection / restoration of the electricity supply of said connection (Meter No. 35800775) vide customer request dated 14.10.2024, but the Respondent did not take any steps. The Appellant contended that the restoration of electricity supply is significantly necessary, particularly for the survival of his sister who is a heart patient residing at the premises. To establish his identity and occupancy, the Appellant placed on record copies of his Aadhar Card and a Passport (expired on 20.07.2024). He further contended that all residents within the premises are having Aadhar Cards bearing the address of the subject property, noting that they possess no other formal ownership documents. Despite that, the Respondent changed the name on the electricity connection from Smt. Kiran Bala to Shri Jugal Kishore Mehra, in collusion with him, without obtaining a proper chain of ownership documents such as a registered General Power of Attorney (GPA) or Sale Deed. In support of the right to restoration, the Appellant invokes Section 43(1) regarding the "Duty to supply on request" under the DERC Supply Code, 2017, asserting that the Respondent is legally bound to provide the connection to an occupier of the premises.

3. The Discom, in its written submission before the Forum, contended that the Appellant lacks the requisite locus standi to seek restoration of supply of the meter no.35800775 at the subject premises. Hence, the request of restoration making the demand void under Regulation 10 of the DERC Supply Code, 2017. It was submitted that the Appellant must first prove ownership or tenancy of the subject premises with valid supporting documentation, failing which the complaint is liable to be dismissed. Moreover, the respondent submitted that the registered consumer, Jugal Kishore Mehra (CA No. 154263113), has no relationship, whatsoever, with the complainant, as there is no evidence presented to support this claim. However, the name change was duly processed as per law based on documents submitted by Shri Jugal Kishore Mehra. Moreover, the Discom argued that the present matter arises from an *inter se* dispute between the Appellant and the registered consumer, rather than any service deficiency.

4. The Appellant, in his closing statement before the Forum, submitted that a civil suit for permanent injunction concerning the property at 1/6095, 1st Floor, Gali



no.1, East Rohtas Nagar, Shahdara, Delhi - 110032, was filed by his father, Shri Jitender Kumar, against Shri Jugal Kishore Mehra before the District Court, Karkardooma. The Appellant contended that Shri Jugal Kishore Mehra is not the owner of the property and has failed to place any title documents on record to establish ownership. Relying upon settled legal positions and multiple High Court judgments, the Appellant argued that an occupier or owner in actual physical possession of a premises is legally entitled to an electricity connection and cannot be deprived of this essential service, even in the absence of a No Objection Certificate (NOC) from the landlord.

5. The Forum, in its order dated 14.05.2025, observed that Regulation 54 of the DERC Supply Code, 2017 which stipulates, *"In case a permanent disconnection, reconnection shall be made on payment of past dues and all applicable charges, if any and completion of formalities as required for a new connection."* The Forum also considered Regulation 10 (2) and (3), which speaks about mandatory submission of documents verifying the applicant's identity and proof of ownership or occupancy of the premises, respectively. Although the Appellant, Shri Ramesh Kumar, claimed actual physical possession of the subject property but the Forum noted that he failed to place any documentary evidence on record, such as a rent receipt or a landlord's No Objection Certificate (NOC), to substantiate his tenancy or occupancy. Consequently, because the electricity connection stands registered in the name of Shri Jugal Kishore Mehra, the Forum found that the Appellant sought a re-connection without establishing his occupancy at the applied premises and user of said electricity connection CA No.154263113. Accordingly, in view of the absence of valid documentation to establish the Appellant's lawful occupancy, the Forum is unable to extend any relief to the applicant concerning the re-connection of the electricity supply.

6. Being dissatisfied by the above-said order dated 14.05.2025, the Appellant had filed a review petition before the Forum. He contended that Forum did not take into consideration the "closing statement" as well as referenced high court judgements, meaning thereby there is an error apparent on the face of record.

Forum, in its order dated 05.08.2025 on review petition, could not find any mistake or error on the face of record. Hence, the review, being devoid of merit as per Regulation concerned, was not maintainable and accordingly, dismissed.



7. The Appellant, dissatisfied with the above-said order, has preferred this appeal, reiterating his stand as before the Forum. He contended that despite presenting all the facts in detail, CGRF inadvertently bypassed the guidelines prescribed in DERC Supply Code, 2017.

The Appellant has prayed for restoration of electric supply, arguing that electricity is a basic utility and an occupier cannot be deprived of electricity, in accordance with Article 21 of the Indian Constitution (Right to Life), the Electricity Act, 2003, and various High Court judgments

8. The appeal was admitted on 17.03.2026.

9. The Respondent, in its written submission to the appeal, reiterated the facts as placed before the CGRF-BYPL. Respondent asserted that the Appellant is aggrieved by the rejection of his request for reconnection of CA No. 154236113 installed at the subject property. Concerning the claim of electricity meter was stolen and reliance on a copy of a Non-Cognizable Report (NCR) of Delhi Police, the Respondent submitted that this online police complaint dated 27.09.2024 is completely illusory, as obtaining an online FIR for a specific property does not divest any property rights in favour of the Appellant. Furthermore, the Respondent argued that the Appellant has failed to establish his locus in the instant appeal as not mentioned in what capacity or from when he has been in alleged possession of the suit property. Respondent further asserted that Shri Jugal Kishore Mehra is the actual registered consumer of the connection in question. Although the Appellant's father had filed a civil suit against Shri Mehra but the Appellant failed to state the suit number or file any pleadings from that litigation. Additionally, Respondent asserted that it is admitted by the Appellant that one Smt. Kiran Bala was the original owner of the property. This fact is corroborated by the title documents received from the registered consumer himself, who surrendered the connection and produced a registered Will executed in his favour by Smt. Kiran Bala.

10. The date was fixed for hearing on 13.05.2026 which was postponed to 10.06.2026, 15.06.2026 & 24.06.2026 as per request of the Appellant. However, hearing fixed on 24.06.2026 was rescheduled to 08.07.2026 but the Appellant was not present on that date. Hence, the hearing was rescheduled to 21.07.2026. During the hearing on 21.07.2026, the Appellant was present and the Respondent was represented by their authorized representative/advocates. Opportunity was given to both the parties to plead their respective cases at length and relevant



questions were asked by the Ombudsman, Secretary & Advisor (Engineering) to elicit more information on the issue.

11. During the hearing, the Appellant reiterated the claims, arguments, and prayer made in the appeal. He contended that a civil suit concerning the matter is still pending in the Court. The Ombudsman pointed out that the Appellant had failed to mention the pendency of the said civil case in his appeal. When queried whether the Appellant is currently in occupancy of the subject premises and how electricity is being catered given that the connection was disconnected on 07.08.2024, the Appellant stated that the supply was disrupted due to theft of the meter rather than its removal by the Respondent, noting that an FIR has already been lodged on 27.09.2024 with the Police regarding the theft. The Appellant further contended that despite the disconnection, his family continues to reside in the premises by managing their electricity supply through an inverter (but he could not establish the fact that how inverter is being charged). However, it was counter-pointed during the proceedings that when the BYPL team visited the subject premises/site, the premises was found completely locked with no one present in the house. When further queried as to why the Appellant delayed in filing an FIR with the Police Station until 27.09.2024 despite the electricity supply having been disconnected since 07.08.2024, the Appellant failed to provide any satisfactory response to the Ombudsman. Moreover, when asked whether he possessed any valid proof of occupancy for the subject premises such as a water bill of Delhi Jal Board, PNG/LPG connection receipt, house rent payment receipt, or any other admissible document, the Appellant was unable to produce any such evidence.

12. In rebuttal, the Advocate for the Respondent reiterated the arguments made in the written submission to the appeal. The Advisor (Engineering) queried as to why the name of the subject connection was changed on 20.03.2023 on the sole basis of a 'Will' dated 23.05.2007 executed by Smt. Kiran Bala while she was still alive and later expired on 08.06.2023 whereas the Respondent has submitted in its written submission that on the basis of registered Will, name was changed. The officer present submitted that the transfer of name was actually carried out on the basis of the General Power of Attorney (GPA) executed on 23.05.2007 in favour of Shri Jugal Kishore Mehra by Smt. Kiran Bala (erstwhile owner). The Respondent further clarified that the said Will was presented by Shri Jugal Kishore Mehra along with the GPA and other allied documents. However, the Respondent admitted that the said GPA could not be produced earlier before the Forum or along with their written submission to the appeal. The said GPA was taken on record. However, it is



noted by the Ombudsman with serious concern that this crucial document was concealed earlier and did not place on record either before the CGRF or this Office. The Respondent is hereby directed to ensure that such lapses do not recur in the future.

13. During the hearing, the Ombudsman based on evidences emphasized that the subject electricity meter was removed on 07.08.2024 at the written request of the registered consumer. Moreover, a civil suit is currently sub-judice with respect to subject premises before the competent Court. Thus, the request of the Appellant for the restoration/connection of the supply cannot be allowed under the present circumstances. However, the Appellant is at liberty to apply for a fresh connection upon the submission of valid proof of occupancy.

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

- (a) Property documents reveal that Smt. Kiran Bala executed a registered Will and GPA, both dated 23.05.2007 in favour of Shri Jugal Kishore Mehra. Thereafter, the name of connection CA No.154236113 (Registered Consumer - Smt. Kiran Bala), in question, was duly got transferred in his name on 20.03.2023. Smt. Kiran Bala expired on 08.06.2023. After her death, Shri Jugal Kishore Mehra requested to surrender and remove the meter, vide Customer Request dated 07.08.2024, so that he could sell the property.
- (b) Records also reveals that Respondent acted on a formal request from Shri Jugal Kishore Mehra to surrender all three active connections bearing CA No.154263113 (connection, in question) including CA Nos.154271602 & 154271603 installed at the subject property and generated a meter move-out order on the same day i.e. 07.08.2024. The meters and service lines were physically removed from the premises accordingly. However, a subsequent site inspection report dated 10.04.2026 confirmed a G+2 building structure with one ground floor shop and no meters or service lines present at the site.
- (c) Shri Ramesh Kumar claimed to reside on the first floor of the premises since 2007 and asserted that a payment of Rs. 6.50 lakhs was made to late Smt. Kiran Bala (owner) in 2006, but no authentic evidence presented to prove his assertion regarding payment particularly contrary



to the fact that Will & GPA executed in favour of Shri Jugal Kishore Mehra by Smt. Kiran Bala.

- (d) In view of the notarized GPA dated 23.05.2007 executed by Smt. Kiran Bala in favour of Shri Jugal Kishore Mehra, thereafter name change of electricity connection in favour of Shri Jugal Kishore Mehra and surrender as well as removal of the meter on his request, the assertion of the Appellant is not tenable that the meter was stolen in September, 2024 and he is residing at the premises.
- (e) The Appellant counter-claimed that the meter was stolen and sought restoration of supply based on occupancy under Section 43(1) of the Electricity Act, 2003, but he failed to provide substantive proof of occupancy, presenting only copies of an outdated passport, an Aadhaar card, and electricity bills which are not considerable in view of name change of the aforementioned connection in favour of Shri Jugal Kishore Mehra, thereafter surrendered by him.
- (f) It is observed that the meters were willingly surrendered by the Registered Consumer (Shri Jugal Kishore Mehra) and the process of removal of meter was carried out by the Respondent based on his request. Thus, the disconnection process does not fall under Regulations 33 'Stolen Meter' and 34 'Replacement of Defective Meters/Burnt Meters/ Stolen Meters' of the DERC Supply Code, 2017 as claimed by the Appellant.
- (g) In the instant matter, the electricity connection CA No.154236113 became dormant after six months of its initial disconnection in August 2024, changing its status to a permanent disconnection. After permanent disconnection, the supply cannot be restored in accordance with Regulation 19 (7) of DERC Supply Code, 2017.
- (h) Concerning the assertion of Section 43 of the Electricity Act, 2003 by the Appellant, Hon'ble Supreme Court, in its order dated 23.05.2023; title - *K.C. Ninan & Ors vs. Kerala State Electricity Board* has summarized that the statutory duty to supply electricity under Section 43 of the Electricity Act, 2003 is not absolute, and is subject to the such charges and



compliances stipulated by the electric utilities as part of the application for supply of electricity.

- (i) Moreover, a civil suit was initiated by Shri Jitender Kumar (the Appellant's father) against Shri Jugal Kishore Mehra, but the instant complaint before the Forum and the appeal before the Ombudsman have been filed independently by Shri Ramesh Kumar presenting his Aadhaar Card and Passport as identity proof.

15. In the light of the above, this court upholds the order of CGRF-BYPL dated 05.08.2025.

16. 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.


23.7.2023
(Ali Zamin)
Electricity Ombudsman
23.07.2026