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OFFICE OF THE ELECTRICITY OMBUDSMAN
(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)
B-53, Paschmi Marg, Vasant Vihar, New Delhi-110057

Appeal No. F. ELECT/Ombudsman/2005-06/17

Appeal against order dated 8.4.2005 passed by Hon'ble
Consumer Grievance Redressal Forum – BSES Yamuna
Power Ltd. in Complaint No: CG-93/02/2005

In the matter of: M/s Jagmohan Singh - Appellant

Versus

M/s BSES-Yamuna Power Ltd. - Respondent

Present:-

Appellant

- 1) Shri Jagmohan Singh
- 2) Shri H.L.Verma, advocate of the
appellant

Respondent

- 1) Shri Vikram Thakur, Business Manager
- 2) Shri Amit Gupta, Commercial Manager
of BYPL

Shri Lochan Singh also attended the hearing.

Date of Hearing: 30.05.2005

ORDER NO. OMBUDSMAN/2005-06/17

The appellant Shri Jagmohan Singh is before the Electricity Ombudsman against the order dated 8.4.2005 passed by CGRF-BYPL directing the Business Manager, BYPL - Patel Nagar to transfer meter bearing K.No: 110 45210176 (out of four connections in the name of Smt. Ram Kaur installed in the property viz 27/6. East

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Patel Nagar) in the name of Shri Lochan Singh. He submits that he, Shri Jagmohan Singh is the legal sole owner of the said property.

In its order dated 8.4.2005, the CGRF- BYPL has admitted that Shri Jagmohan Singh is the exclusive owner of the property at 27/6, East Patel Nagar, New Delhi on the basis of documents filed by him yet since Shri Lochan Singh (complainant before the CGRF) was occupying the first floor, it directed that the meter be transferred in his name (Shri Lochan Singh) as requested by him. The CGRF-BYPL has further observed that the meter may be shifted to a place where it is safe as presently "it is situated at a place where the complainant and the Company representative have no access and there is always apprehension that there may be tampering in the meter and the present complainant may be booked for that".

Against the above order of the CGRF – BYPL. Shri Jagmohan Singh is in appeal before the Electricity Ombudsman.

The appeal was fixed for hearing on 30.5.2005, after all the documents were examined and records obtained from CGRF – BYPL. Shri Jagmohan Singh, the appellant alongwith Shri H.L.Verma, his authorised advocate attended the hearing on 30.5.2005, Shri Lochan Singh also attended, as notice was also served on him. Shri Vikram Thakur, Business Manager and Shri Amit Gupta, Commercial Manager of BSES –Yamuna Power Ltd. were also present. .

After examination of records and documents filed before and at the time of hearing both the parties, as also the discussions that took place on that date, the facts of the case as emerge are as under:

The property bearing no.: 27/6, East Patel Nagar, New Delhi was the exclusive property of Smt. Ram Kaur, the mother of the appellant. It was she who got four connections installed and registered in her name during her life time. The

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supply was used for domestic purpose. In 1990 Smt. Ram Kaur sold her 50% share to her son Shri Jagmohan Singh vide Registered Sale-Deed which is filed and is on record. In 1997 Smt. Ram Kaur relinquished her remaining 50% share in the said property in favour of Shri Jagmohan Singh through a Registered Release Deed which is also filed and is on record. Thus, as a result of the above two documents the appellant Shri Jagmohan Singh became the exclusive owner of the property viz 27/6, East Patel Nagar, New Delhi.

Shri Lochan Singh, the brother of Shri Jagmohan Singh (the appellant) applied to BSES-Yamuna Power Ltd. to get the electricity meter K.No: 110-45210176 (out of four connections registered in his mother's name) to his own name on the ground that he was the legal heir after the death of his mother. BSES-Yamuna Power Ltd. without hearing Shri Jagmohan Singh (who is the owner of the said property) transferred the electricity connection K.No. 110-45210176 in the name of Shri Lochan Singh.

The appellant Shri Jagmohan Singh who is the absolute owner of the property came to know of this name change in the electricity connection, and, therefore applied to the BYPL for re-transferring the (electricity) connection in his name. He filed documents to prove his ownership of the property. On the basis of said documents and after satisfying themselves the BYPL changed the connection having K.No.: 110-45210176 in favour of Shri Jagmohan Singh.

On coming to know of above name change Shri Lochan Singh filed a complaint in CGRF- BYPL -Karkarduma stating that these documents of legal ownership filed by Shri Jagmohan Singh are fraudulent. He submitted that since he is the occupant of the first floor of said property bearing no: 27/6, East Patel Nagar, New Delhi, he (Shri Lochan Singh) can get the electricity connection transferred in his own name. The CGRF-BYPL ordered that the meter bearing K.No.: 110-

45210176 should be shifted from present place to first floor and that the meter be transferred in the name of Shri Lochan Singh.

On a careful consideration of the facts and documents on record, specially the registered documents of the property in the name of Shri Jagmohan Singh it is evident that Shri Jagmohan Singh is the sole, legal owner of the said property at 27/6, East Patel Nagar, New Delhi. Therefore, he alone is entitled to get the electricity connections transferred from the name of Smt. Ram Kaur his late mother to his own name which he did.


Shri Lochan Singh pleaded that he had been occupying a portion of first floor for last many years and produced his ration card and other documents in evidence of the same. Shri Jagmohan Singh also admitted that his elder brother Shri Lochan Singh continued to occupy some rooms even after he himself became exclusive owner of the said property due to regard and affection for his elder brother. He also assured that even though the electricity connection in regard to K.No: 110-45210176 should continue to stand in his name (in the name of Shri Jagmohan Singh), he will not cause any hindrance or create any nuisance or any other action whereby the electricity supply may be disconnected from meter K.No. 110-45210176 from which Shri Lochan Singh, his elder brother was getting the electricity for domestic purpose.

The above facts show that this is a case of family dispute which may, if necessary, be settled by a Court of Law. It is sufficient for our purpose that the electricity connection stands in the name of Shri Jagmohan Singh i.e. legal owner of the property but at the same time Shri Lochan Singh who has been residing on the first floor for many years continues to have the electricity supply and pays the bills regularly.

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Shri Jagmohan Singh is directed to make such an arrangement that the meter bearing K.No. 110-45210176 which supplies electricity to Shri Lochan Singh may be placed under lock and key arrangement and the key kept in the possession of Shri Lochan Singh so that there is no apprehension in the mind of Shri Lochan Singh of any one tampering with the meter. Shri Jagmohan Singh agreed to make this arrangement to provide metallic box cover for electricity meter bearing K.No. 110-45210176. Shri Lochan Singh will continue to pay the bills as received by him for the meter bearing no: 110-45210176 **although this electricity connection will be in the name of Shri Jagmohan Singh** who is the sole legal owner of the property. Both Shri Lochan Singh and Shri Jagmohan Singh are satisfied with this arrangement. **The Company BYPL is directed to change the name of the electricity meter K.No; 110-45210176 from Lochan Singh to Shri Jagmohan Singh.**

In view of the above, the order dated 8th April, 2005 of the CGRF – BYPL is set aside.


06/06/05
(Asha Mehra)
Ombudsman