

**Office of 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. F. ELECT/Ombudsman/2007/205**

Appeal against Order dated 17.07.2007 passed by CGRF – BRPL in case no. CG/173/2007.

**In the matter of:**

Mrs. Veena Mehrotra - Appellant

**Versus**

M/s BSES Rajdhani Power Ltd - Respondent

**Present:-**

**Appellant** Appellant was present in person alongwith  
Shri Ashok Mehrotra  
Shri Vikas Mishra and  
Shri Arun Mehrotra, Joint owner and occupant of the property

**Respondent** Shri S.K. Kansal, Business Manager,  
Shri R.S. Yadav, Section Officer attended on behalf of BRPL

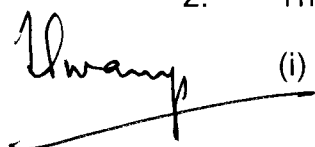
**Date of Hearing :** 15.01.2008, 05.02.2008

**Date of Order :** 18.02.2008

**ORDER NO. OMBUDSMAN/2008/205**

1. The Appellant Smt. Veena Mehrotra has filed this appeal against the orders of the CGRF dated 17.07.2007 in CG/173/2007. She has challenged the demand raised by the Respondent for payment of the outstanding amount of Rs.2,57,160/- on pro-rata basis, for sanction of a new electricity to her. Her contention is that all the outstanding dues are payable by her brother Shri Arun Mehrotra, also residing in the same premises.

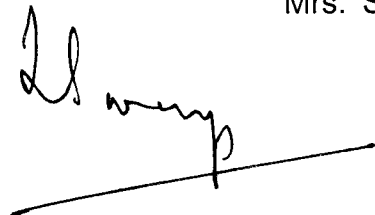
2. The brief facts of the case as per records are as under:



- (i) Late Smt. Shiela Devi, mother of the Appellant, was the owner of property bearing no. 53, Adhchini, Aurobindo Marg, New Delhi. The

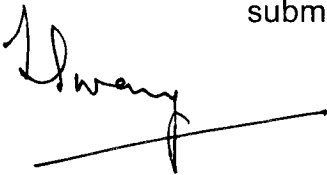
electricity connection K. No. 2520 G508 0578 was also registered in her name. She had three legal heirs, including the Appellant and her brother Shri Arun Mehrotra residing in the property no.53 Adhchini, Aurobindo Marg, New Delhi.

- (ii) After the death of Smt. Shiela Devi, the Appellant and her brother Shri Arun Mehrotra were in possession of separate parts of the premises.
- (iii) Shri Arun Mehrotra was also running a Handicraft Emporium for sometime in the name and style of Indian Handicrafts Gallery from the premises and drawing electricity from the meter installed in the name of Smt. Shiela Devi.
- (iv) Shri Arun Mehrotra in 2004 applied for a new electricity connection in the name of his wife Smt. Sadhna Mehrotra. The Respondent sanctioned the connection and installed the meter without verification and recovery of earlier outstanding dues against the meter installed in the same premises in the name of the Smt. Shiela Devi.
- (v) Shri Arun Mehrotra after installation of the new meter, according to the Appellant had an informal arrangement that in case she wanted electricity she would have to share 50% of the bills to be paid to the Respondent. The Appellant states that accordingly she started paying her 50% share of the electricity bills, to Shri Arun Mehrotra up to 2006.
- (vi) Shri Arun Mehrotra later installed two Air conditioners in his share of the premises and consequently the electricity bill substantially increased. The Appellant, therefore, requested Shri Arun Mehrotra for sharing the bills in proportion to their respective consumption of electricity, but he insisted on payment of half of the amount of electricity bill by her.
- (vii) The Appellant, in view of the unreasonable demands of Shri Arun Mehrotra, applied for a new electricity connection in her name vide application bearing no. N2520060523702 dated 24.05.2006. The Respondent rejected the application on the ground that an amount of Rs.2,39,367/- was outstanding against the earlier connection in the name of Smt. Shiela Devi for the same premises and the new connection could be sanctioned only after clearing of the outstanding dues.
- (viii) The Appellant enquired as to how a new connection in the name of Mrs. Sadhna Mehrotra was sanctioned and installed in the same



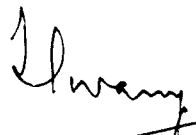
premises, without clearance of the outstanding bills. The Respondent could however not give any satisfactory reply to the Appellant.

3. The Appellant filed a complaint before the CGRF on 15.06.2007 for the redressal of her grievance.
4. The CGRF in its order dated 17.07.2007 ruled that the new connection could be granted in favour of Appellant after she deposits 50% of the outstanding dues and after completion of other commercial formalities. The CGRF also directed that the remaining 50% of the outstanding dues of Rs.2,57,160/- would be debited to the bills of connection no. 2520 G508 0909 registered in the name of Smt. Sadhna Mehrotra, who was the beneficiary of the supply from the earlier connection registered in the name of Shiela Devi.
5. After perusal of the records and comments received from the Respondent, the first hearing in the case was fixed on 15.01.2008. The Appellant was present through Shri Ashok Mehrotra and Shri Vikas Mishra. The Respondent was present through Shri S.K. Kansal, (Business Manager) and Shri R. S. Yadav. (S.O.)
6. The Appellant submitted that the Respondent has wrongly withheld the grant of electricity connection on her application dated 24.05.06 and wrongly demanded 50% of the outstanding dues of Rs.2,39,367/-, which were payable by Shri Arun Mehrotra. On a query about the ownership rights of the property in question, the Appellant informed that subsequent to the death of the owner Smt. Shiela Devi intestate, there is neither any mutation of the property in the records of the MCD nor any formal partition by the legal heirs. The property continues to be jointly owned by her and her two brothers.
7. The Respondent in their reply admitted that the electricity connection in the name of Smt. Sadhna Mehrotra was wrongly given without verifying the ownership documents and without obtaining no objection certificate (NOC's) from the other legal heirs.
8. After hearing both the parties, the following interim directions were issued:
  - (a) The electricity connection wrongly given to Smt. Sadhna Mehrotra be disconnected by the Respondent after serving 15 days notice as per rules;
  - (b) The Respondent to consider applications for new connections from the legal heirs, including Appellant, if NOC's or partition deed are submitted by them; and



- (c) Notice of the next hearing on 05.02.2008 be also served on Smt. Sadhna Mehrotra, along with other parties.
9. At the next hearing on 05.02.08, the Appellant was present in person, Shri Arun Mehrotra, joint owner and occupant of the property, was also present and accepted the fact of joint ownership of the premises and the fact of sanction of a new connection in the name of his wife. The Respondent was present through Shri S.K. Kansal, Business Manager and Shri R. S. Yadav, Section Officer and stated that
- (a) the Respondent had served a notice of disconnection of electricity on Smt. Sadhna Mehrotra as per the directions dated 15.01.2005; and
- (b) the Appellant could not produce the NOC from the other two legal heirs;
10. **In view of the facts on record and the averments of the parties, the Respondent is directed to process the application for grant of electricity connection of the Appellant, being the legal heir of Smt. Shiela Devi, after receipt of NOC's from other legal heirs or a partition deed, and after the completion of other formalities, including recovery of pro-rata share of the outstanding dues of the connection in the name of Smt. Shiela Devi, installed in the same premises. The Respondent is also directed to take further action on the notice of disconnection issued to Smt. Sadhna Mehrotra as per law. The appeal is accordingly disposed of.**

18<sup>th</sup> February 2008 .

  
(SUMAN SWARUP)  
OMBUDSMAN