

**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/2011/406**

Appeal against Order dated 20.10.2010 passed by CGRF–NDPL in CG.No. 2961/08/10/SMB.

**In the matter of:**

Shri Yash Pal Arora - Appellants

**Versus**

M/s North Delhi Power Ltd. - Respondent

**Present:-**

**Appellant** Shri Yash Pal Arora was present alongwith his advocate Shri Satinder Nath Chopra

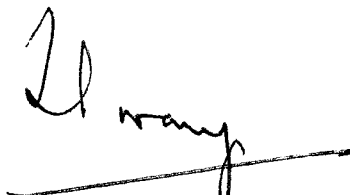
**Respondent** Shri K.L. Bhayana, Adviser,  
Shri Ajay Kalsi, Company Secretary,  
Shri B.L. Gupta, Commercial Manager, and  
Shri Vivek, Manager (Legal) attended on behalf of the NDPL

**Date of Hearings** : 30.3 .2011, 20.04.2011

**Date of Order** : 26.04.2011

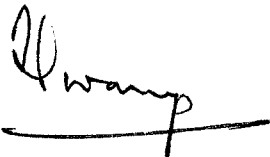
**ORDER NO. OMBUDSMAN/2011/406**

1.0 The Appellant, Shri Yash Pal Arora, has filed this appeal against the order of the CGRF-NDPL, dated 20.10.2010 in CG No. 2961/08/10/SMB, regarding restoration of electricity connection against K. No. 45305147291, which had been disconnected by the Discom.

  
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2.0 The brief background of the case as per the records and the averments of the parties is as under:-

- a) The Appellant was sanctioned an electricity connection K. No. 45305147291 for 1 KW non-domestic use installed at shop no. 37/2 Singlapur, Shalimar Bagh, Delhi. He however claims that this is an old connection sanctioned in 1980 in the name of his brother Shri Ashok Kumar and transferred in his name in 2006.
- b) The Respondent received a complaint through the Inter Voice Response System (IVRS) on 22.11.2009 from the landlord of the premises alleging that the electricity connection K. No. 45305147291 was obtained by the Appellant on the basis of fake documents.
- c) The Respondent has stated that on receipt of the above complaint they verified their records and immediately asked the Appellant through their communication dated 23.11.2009, to complete the commercial formalities and to produce the original ownership documents. In the meantime, the Respondent carried out a site verification, and found the premises locked. On enquiry, the neighbours intimated that the owner of the premises had left, and the premises always remained locked.
- d) The Appellant neither responded to the Respondent's letter dated 23.11.2009, nor produced the original documents as requested. Thus, the Respondent

  
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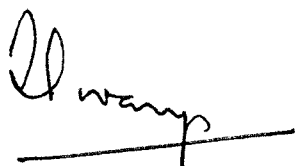
disconnected the electricity supply of the premises and removed the service line on 24.12.2009.

- e) A non-domestic electricity connection K. No. 45304196204 was also released in the name of Shri Jarnail Singh at 37, Shop No. 2, Khasra No. 25/26, Shalimar Bagh, Delhi, for a sanctioned load of 2 KW on 22.10.2009, after completion of commercial formalities.

2.1 The CGRF-NDPL vide its order dated 20.10.2010 observed that the connection K.No. 45305147291 was installed long back in the name of Shri Ashok Kumar Arora, which was changed in the name of Shri Yash Pal Arora. The connection was disconnected subsequently. The Forum decided that the connection be reconnected after completion of the commercial formalities required as per the DERC's Regulations.


3.0 After scrutiny of the contents of the appeal, the CGRF's order, and the replies submitted by both the parties, the case was fixed for hearing on 30.03.2011.

3.0 On 30.03.2011, the Appellant, Shri Yash Pal Arora was present with his advocate Shri Satinder Nath Chopra. The Respondent was represented through Shri K. L. Bhayana (Advisor), Shri Ajay Kalsi (Company Secretary), Shri B.L.Gupta (Comml. Manager), and Shri Vivek Singh (Manager-Legal).

  
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Both the parties argued their case. The Appellant produced the original rent-deed dated 29.07.1980 for the shop and one rent receipt for the premises. The Respondent was asked to produce (i) the original K. No. file of the earlier connection in the name of Shri Ashok Kumar, (ii) the original file of transfer of this connection to the Appellant, and; (iii) the K. No. file of the new connection sanctioned to Shri Jarnail Singh. A notice was also sent to Shri Jarnail Singh being the affected party, to appear alongwith the ownership documents at the next hearing on 20.04.2011.

- 3.1 On 20.04.2011, the Appellant produced an old electricity bill in the name of his brother, Shri Ashok Kumar for March 2000, showing K. No. 1236380 as the connection number. The Respondent, on the other hand stated that in August 2006, a new connection was sanctioned in the name of Yash Pal Arora, bearing a different K. No.. Transfer of Shri Ashok Kumar connection was not allowed in the name of Shri Yash Pal Arora in August 2006. The original file of the new connections sanctioned in the name of Shri Shri Yash Pal Arora and Shri Jarnail Singh were also produced.
- 3.2 Respondent No. 2 Shri Jarnail Singh also produced the sale-deed, in original, for the premises. A copy of the same was taken on record. He stated that his mother is the lawful owner and Shri Yash Pal Arora has filed fake papers with the NDPL,

  
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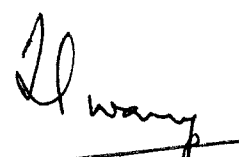
stating that he is the owner, for obtaining the new connection in August 2006.

- 4.0 From a perusal of the original sale deed & K.No. files, it is clear that the contention of the Appellant that the connection earlier sanctioned in his brother Shri Ashok Kumar's name was transferred to his name in 2006, is incorrect. It is established from perusal of the file for K. No. 45305147291, that this new connection was obtained by Shri Yash Pal Arora by furnishing a Indemnity Bond stating that he is the lawful owner of the premises, when this was not the case. At the hearing however he stated that this was an error as he is the tenant since 1980. From a perusal of the records & facts, it is clear that there is a property dispute between Shri Jarnail Singh and Shri Yash Pal Arora, and the sanction of a new connection to Shri Yash Pal Arora in 2006, was based on a wrong Indemnity Bond filed by him about the ownership of the premises.

**The Respondent has rightly disconnected the connection sanctioned in 2006. The Appellant's connection can be restored only after he produces the required documents and after completion of all formalities laid down in the DERC's Regulations.**

**The Appeal is accordingly disposed off.**

26<sup>th</sup> April 2011

  
**(SUMAN SWARUP)**  
**OMBUDSMAN**