

**Office of the 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/2012/515**

Appeal against the Order dated 19.07.2012 passed by CGRF—BRPL in CG.No. 165/2011.

**In the matter of:**

**Shri Anil Mehta**

**- Appellant**

**Versus**

**M/s BSES Rajdhani Power Ltd.**

**- Respondent**

**Present:-**

Appellant: Shri Anil Mehta was attended in person

Respondent: Shri Pushpdeep Jaisiya, Business Manager, attended on behalf of the BRPL.

**Date of Hearing: 05.12.2012**

**Date of Order : 14.12.2012**

**ORDER NO. OMBUDSMAN/2012/515**

This appeal has been preferred by the complainant, Shri Anil Mehta, against the order of the CGRF-BRPL dated 19.07.2012 in which the CGRF has declined to accept his contention that electricity connection bearing CRN No. 2540018069 (registered consumer was his father Shri Yashpal) be transferred into his name.

The complainant wanted that the above connection be transferred into his name after the death of his father without obtaining any NOC from his other real brothers. The Discom has declined to do so in view of a civil dispute bearing no. CS (OS) No. 1390/2010 pending among the family members regarding the premises in which the above electricity connection is installed. An order for status-quo has been passed by the Hon'ble Delhi High Court on 02.08.2010.

I have heard both the parties who reasserted their stand as before the CGRF.

The Discom states as follows, in its reply, "it is an admitted fact that Appellant, alongwith his other 3 brothers, has equal right over the said premises being coparcener of Shri Yash Kumar, father. However, due to discrepancies in the documents produced by Appellant his application for name change could not be entertained but in case Hon'ble Court passes an order in this respect Respondent shall be bound with it".


Further, the Discom states, "in this respect it is submitted that only in favour of Shri Satish Kumar name change application in respect of ground floor of said premises was accepted and sanctioned because he submitted NOC of Shri Surinder Kumar, registered will executed by Smt. Champa Devi their mother and death certificate of Smt. Champa Devi. It was also verified from the old documents that Smt. Champa Devi was the owner of the premises as proved by the office record of Land & DO office,

relevant House tax receipts. Hence the name change from Smt. Champa Devi to Shri Satish Kumar of this floor was found to be correct. However, Shri Joginder Singh's name change application could not be allowed because the gift deed submitted by him in respect of 1<sup>st</sup> floor of said premises was not registered and on notice to him for producing requisite documents he did not revert, hence, connection was left in the name of Late Shri Yash Kumar, father.

Given the stand of the Discom both in terms of changing the name in one connection and in the other is not allowing name of Appellant to be added it can be said they are being cautious before carrying out any change. The CGRF too is exercising caution in the matter as the High Court has ordered status quo.

However, nothing precludes either the Appellant, or the Discom at his request, to approach the High Court for permission to have his name inserted in his father's place if the need for this is felt. Till then no prejudice will be caused to the complainant if the connection continues in the name of the father till the Court decides the issue.

In the meanwhile I do not find any infirmity in the approach of the CGRF in the impugned order which is upheld.

  
(Pradeep Singh)  
Ombudsman

14th December, 2012

