

105

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/2013/550

Appeal against the Order dated 28.12.2012 passed by CGRF—
BYPL in Complaint No.239/10/12.

In the matter of:

Shri Bhuvneshwar Dayal

- Appellant

Versus

M/s BSES Yamuna Power Limited

- Respondent

Date of Order : 25.03.2013

ORDER NO. OMBUDSMAN/2013/550

This is a case filed by Shri Bhuvneshwar Dayal r/o Old Plot No.17-C, New No.R-41, Rita Block, Vikas Marg, Shakapur, Opp. Hira Sweets, Delhi – 110092, against an order of the CGRF dated 28.12.2012 in which the CGRF closed the case in his absence because the DISCOM had submitted a copy of the demand note for supply of new commercial connection. It is not understood why the CGRF did not respond to all other pleas, including for compensation, made by the complainant and hear his case on overall merits. Subsequently, enquiries from the DISCOM reveal that they are willing to release the connection but the complainant was not present in Delhi. The complainant in his appeal, as well as in his application before the CGRF, had asked for damages due to mental agony and physical sufferings caused to him by the delay. The CGRF has passed no orders on this aspect of his plea as they have not assessed whether the DISCOM had delayed the matter or not.

103

Since the order passed by the CGRF was an ex-parte one it is hereby set-aside, also ex-parte, and the case is remanded to them to re-hear the issue of compensation due to delay etc. and also to ensure that the necessary connection has been released, if not also done. It is not desirable to issue orders which do not fully deal with the complainant's issues leaving it for complainant to approach the CGRF on appeal. In this case, an Interim Order should have been passed directing the DISCOM to release the connection and report installation. Thereafter specific orders on any compensation to be awarded to the complainant were necessary before closing the case.

The Order of CGRF is set-aside as above and the case is remanded for further hearing.


(PRADEEP SINGH)
Ombudsman

25/4 March, 2013