

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/2014/636

Appeal against the Order dated 17.06.2014 passed by the CGRF-TPDDL in CG.No.5847/04/14/SKN.

In the matter of:

Shri Bal Kishan

- Appellant

Versus

M/s Tata Power Delhi Distribution Ltd.

- Respondent No.1

Shri Sanjay Chadha

- Respondent No.2

Present:-

Appellant: Shri Bal Kishan was present in person alongwith advocate Shri B. S. Saini.

Respondent: Shri Vivek, Sr. Manager (Legal) attended on behalf of the TPDDL.

Shri Sanjay Chadha was present in person.

Date of Hearing : 09.09.2014, 23.09.2014

Date of Order : 29.09.2014

ORDER NO. OMBUDSMAN/2014/636

This is an appeal filed by Shri Bal Kishan, 9418, Bagh Raoji, Kishanganj, Delhi – 110006 against the order of the Consumer Grievance Redressal Forum (CGRF) dated 17.06.2014 declining to intervene in the matter of removal of electricity connection given to one Shri Sanjay Chadha at Shop No.9418, Ground Floor, Mohalla Bagh Raoji, Kishan Ganj, Delhi.

The complainant has argued that the above order of the CGRF is wrong because Shri Sanjay Chadha is his tenant for many years who has been extended supply by the complainant and that there was no need for Shri Sanjay Chadha to ask for a fresh connection in the premises which was installed on 07.04.2014. He argued that there were already a number of meters existing in the premises, including a commercial connection in the name of his wife Smt. Sharda Devi installed on 03.04.2014. He argued that the connection released to Shri Sanjay Chadha on 07.04.2014 was not through the DISCOM but through the earlier orders of the CGRF passed on an application by Shri Sanjay Chadha on 13.03.2014 which was not necessary to release. There is also an Addendum to the CGRF's order of 13.03.2014 which is dated 28.08.2014 and records that:

"The Police assistance be sought for release of connection if there is any dispute at site"

Since the file relating to the hearing of the case filed by Shri Sanjay Chadha before the CGRF is not before us, the exact reasons for passing these orders by the CGRF are not known, nor are the reasons for ordering police assistance for installing the connection. However, through the present proceedings, for which hearings were held on 09.09.2014 and 23.09.2014, it emerged that the premises (shop and domestic residence) contain four meters, including one in the name of Shri Sanjay Chadha. There appears to be some sort of dispute between the complainant and Shri Sanjay Chadha, who is the acknowledged tenant of the shop located therein, but the exact sequence of events which led to Shri Sanjay Chadha asking for a separate connection is not clear. However, it is seen that he submitted a number of documents, including some sort of a letter

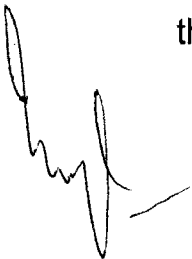


from the local MLA, to the DISCOM who did not release the connection. After this Shri Sanjay Chadha approached the CGRF who released this connection through the above order dated 13.03.2014 to be installed with the assistance of the police.

Without going into the pros and cons of the above orders of the CGRF, it is clear from the present position on the ground that there are a number of meters in the premises, including two commercial connections, one in the name of Smt. Sharda Devi, w/o complainant, and the other in the name of Shri Sanjay Chadha. Since the complainant does not deny he would supply electricity to Shri Sanjay Chadha from the existing commercial connection in the name of his wife Smt. Sharda Devi, there appears to be no need for a separate commercial connection in the name of Shri Sanjay Chadha.

Shri Sanjay Chadha was asked during the hearing about the reasons due to which he applied for a separate connection when the acknowledged landlord Shri Bal Kishan was even now willing to give him electricity but he had no satisfactory answer.

Given the facts of the case, it appears the release of a separate commercial connection to Shri Sanjay Chadha was unnecessary and hence the order of the CGRF dated 17.06.2014 declining to intervene in the matter of removal of the commercial connection of Shri Sanjay Chadha on the ground that the matter is subjudice in the tenancy Court, is set-aside. In addition, the order of the CGRF dated 13.03.2014 releasing commercial connection to Shri Sanjay Chadha is found unnecessary and this commercial connection is ordered to be removed.



The complainant Shri Bal Kishan will make available electricity to the shop through the commercial connection in the name of his wife Smt. Sharda Devi subject to necessary payments of dues by Shri Sanjay Chadha till the conclusion of the proceedings in the tenancy Court. In case denial of electricity to Shri Sanjay Chadha takes place for any reason he will have the right to approach the CGRF for its restoration.


(PRADEEP SINGH)
Ombudsman

29th September, 2014