

C A No. Applied For
Complaint No. 115/2026

In the matter of:

Sanjay Kumar

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. Shalabh Kumar, Chairman
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Vikas Singh, A.R for the complainant
2. Mr. R.S. Bisht, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal On behalf of BYPL.

ORDER

Date of Hearing: 14th July, 2026
Date of Order: 15th July, 2026

Order Pronounced By:- Mr. P. K. Agrawal, Member (Legal)

1. The brief facts of the grievance are that the complainant Sanjay Kumar applied for new electricity connection vide request no. ANYVR0204261373 at premises bearing no. H.No. E-514, 1st floor, Jagjit Nagar, New Usman Pur, Near Post office, Delhi-110053.

It is also his submission that his request for new electricity connection was rejected by OP on the grounds of court paper upload and legal advice required..

Attested True Copy
Secretary
CGRF (BYPL)

1 of 5

Complaint No. 115/2026

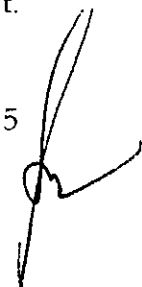
Thereafter, the complainant approached the Customer Care Department of OP and the Customer Care Department of Discom rejected his application for new connection on the grounds that the matter already stands adjudicated by the District Court.

The complainant further submitted that he applied for new electricity connection with supporting court interim order; he also stated that these interim orders of the District Court clearly prove his ownership of the property. Therefore, he requested the forum to direct the respondent company for release of new electricity connection in his name.

2. The respondent in its reply submitted that the complainant applied for new electricity connection in the capacity of owner of the premises solely on the basis of an alleged will dated 30.08.2009 and an interim order dated 11.09.2012 passed in a Civil Suit No. 152/2010 titled "Sanjay Kumar & Anr. Vs. Anita Anand & Ors. However, the complainant has deliberately failed to disclose that the very subject matter of the Civil Suit concerns the validity and enforceability of multiple wills and competing ownership claims. The complainant has further failed to disclose that the interim order relied upon by him does not declare or recognise his ownership rights over the subject property and merely restrains the defendants from creating third-party interests during the pendency of the suit.

Reply further submitted that perusal of the interim order itself reveals that there exists another will dated 01.10.2010 allegedly executed by Lt. Smt. Dropti Devi in favour of one Sh. Prem Pal Singh, who is stated to have subsequently sold the property to Defendant no. 1, namely Smt. Anita anand, y way of registered sale deed dated 0.05.2010.

The claim of the complainant of ownership was founded entirely upon the will dated 30.08.2009 and the interim order passed by the Civil Court.

  2 of 5 

Attested True Copy


Secretary
CGRF (BYPL)

Complaint No. 115/2026

Upon careful examination of the will dated 30.09.209, it was observed that Lt. Smt. Dropti Devi had allegedly bequeathed the property in favour of both the complainant, namely Sh. Sanjay Kumar and his brother Sh. Anil Kumar, therefore even assuming without admitting the validity and genuineness of the said will, the complainant does not derive exclusive ownership rights over the subject property.

Further, scrutiny of the interim order dated 11.09.2019 revealed that the ownership and title of the property are under challenge before the Competent Civil Court. The learned Civil Court has recorded that Defendant no. 3 namely Sh. Prem Pal Singh, claims rights over the property on the basis of another will dated 1.01.2010 allegedly executed by Lt. Smt. Dropti Devi. The learned Civil Court has further recorded that Defendant no. 3 allegedly sold the property to Defendant no. 1, namely Smt. Anita Anand, through a registered sale deed dated 10.05.2010. The validity, legality and enforceability of the competing wills, the alleged sale transaction and the ownership rights of the parties are the principal issues involved in the pending Civil Suit.

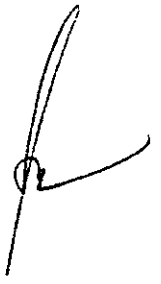
3. The complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that there are dispute regarding ownership of property and one civil matter is pending but it is surprising that respondent has already installed an electric meter on the ground floor of the said property in the name of Ms. Anita Anand vide CA no. 150243663, after objections of the complainant and other residents and while complainant has applied for electricity connection before respondent, respondent has rejected that there is Civil Suit pending for ownership. Complainant further submitted there is no stay regarding providing of electricity connection to the complainant. Also the Interim order of the Hon'ble court dated 11.09.2012 the complainant is in possession of first floor of aforesaid property.

Attested True Copy

Secretary
CGRF (BYPL)



4 3 of 5

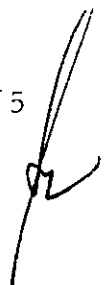


Complaint No. 115/2026

4. The Forum has heard the arguments of both parties and carefully examined the material placed on record.
5. It is not in dispute that the ownership and title of the subject property are under adjudication before the competent District Court. The very basis of the complainant's claim to seek an electricity connection is founded upon his alleged ownership of the premises, which is itself disputed in the pending civil proceedings. The interim order dated 11.09.2012 relied upon by the complainant is only an interlocutory order intended to preserve the subject matter of the suit and does not amount to a declaration of ownership or confer any exclusive legal right upon the complainant.

This Forum is not vested with jurisdiction to adjudicate disputed questions relating to title or ownership of immovable property. Such issues can only be decided by the competent Civil Court. Any direction issued by this Forum for release of a fresh electricity connection during the pendency of the civil proceedings may have the effect of prejudicing the rights of the contesting parties and may indirectly impinge upon issues that are sub judice before the learned District Court.

The contention of the complainant that an electricity connection has already been released in favour of another claimant does not create an enforceable right in his favour. The legality or propriety of any connection granted to another person is not the subject matter of the present proceedings and cannot form the basis for directing the respondent to release another connection where the entitlement of the applicant itself is under serious dispute.

  4 of 5 

Attested True Copy


Secretary
CGRF (BYPL)

Complaint No. 115/2026

6. The Forum is of the considered opinion that the respondent acted prudently in withholding the release of the electricity connection pending adjudication of the ownership dispute by the competent Civil Court. No arbitrariness, illegality or deficiency in service can be attributed to the respondent in the facts and circumstances of the present case. Accordingly, the complaint deserves to be dismissed.

ORDER

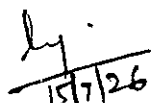
In view of the foregoing discussion, the complaint is hereby **dismissed**.

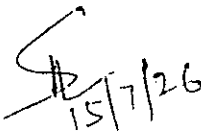
The respondent is justified in declining the complainant's request for release of a new electricity connection during the pendency of the civil dispute concerning ownership and possession of the subject property, which is presently **sub judice** before the competent District Court.

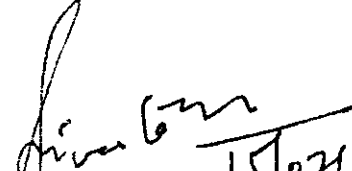
It is, however, clarified that upon final adjudication of the civil proceedings, or upon production of any order, decree or other legally acceptable document establishing the complainant's entitlement in accordance with the applicable provisions of the Delhi Electricity Supply Code and Performance Standards Regulations, the complainant shall be at liberty to submit a fresh application before the respondent. Such application shall be considered independently and strictly in accordance with law, without being influenced by the dismissal of the present complaint.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)


(SHALABH KUMAR)
CHAIRMAN

5 of 5

Attested True Copy


Secretary
CGRF (BYPL)