

CA No. Applied For
Complaint No. 237/2025

In the matter of:

Sarla Sharma & OthersComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Vinod Kumar, Counsel for the complainant along with complainant.
2. Mr. R.S. Bisht, Ms. Vijay Michael, Ms. Monika Sharma, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 12th May, 2026
Date of Order: 25th May, 2026

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief facts of the grievance are that the complainants have applied for waive off wrong transferred dues of disconnected connection having CA No. 101266629 in the name of Pushpa Devi to live connections having CA No. 101298331, 150070910, 152866169, 152866170, 154127161, 152866171, 154117513, 154520626, 153410349, 103761213 and 103761239 installed at premises no. 1/9721, Kh. No. 347, Ground to Third Floor, Behal Gali No.4, West Rohtash Nagar, Shahdara, Delhi-110032.

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CGRF (BYPL)

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Shalabh

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It is also their submission that the dues transferred by OP does not pertain to them, therefore, requested the Forum to direct the respondent company for waiver of the transferred dues.

2. The respondent in its reply against the complaint of the complainants submitted that the complainants are seeking Waiver of Dues transferred on their CA No's which have been transferred from CA No. 101266629 having RC name Pushpa Devi for dues amounting to Rs.4,46,665/- for the premises bearing no. 1/9721, Kh. No. 347, Ground to Third Floor, Behal Gali No.4, West Rohtash Nagar, Shahdara, Delhi-110032.

It is further submitted that CA No. 101266629 in the name of Pushpa Devi was installed on 01.01.1990 at the premises bearing address as 1/9721-A, Behal Gali, Rohtash Nagar, Shahdara, Delhi-110032. Payment against this connection was received till 31.03.2014 and due to no payment received, meter was removed on 11.03.2018 against dues amounting to Rs. 3,14,165.79/-. Upon subsequent site visits dated 26.06.2024 and 20.09.2024, it was discovered that no meter and cable was found at site and the property has been divided in three parts i.e. Part A having four floors, Part B having five floors and Part C having two floors. Regulation 52(3) of the Supply Code, 2017 duly empowers the Respondent to undertake the transfer of dues exercise. Regulation 52(3) quoted in support of the same.

3. The complainant did not file rejoinder.
4. During the course of arguments, OP submitted that the dues were transferred upon total 11 connections in the subject premises, after site visit by OP, out of 11 connections, the dues transferred to six connections were withdrawn by OP and now the dues are transferred to balance five connections.

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5. The counsel for the complainant argued that dues are not payable by the balance five connections also.
6. Arguments of both the parties are heard.
7. From narration of facts and material placed before us we find that the respondent company has transferred the outstanding dues of disconnected CA No. 101266629 in the name of Pushpa Devi to the live connections installed in the subject premises by invoking Regulation 52(3) of DERC Supply Code and Performance Standards Regulations, 2017. It is an admitted position that initially the dues were transferred to eleven connections; however, after verification and site inspection, the respondent itself withdrew the transferred dues from six connections and retained the dues only against five connections.

Further, the respondent has placed on record that the disconnected connection was installed at the same premises and the property was subsequently divided into different portions/floors where the present live connections exist. The complainants, on the other hand, have not placed any documentary evidence on record to establish that the remaining five connections are situated at different premises or are not derived from the premises against which the arrears pertain.

In view of Regulation 52(3) of the DERC Regulations, the licensee is empowered to transfer the outstanding dues of a disconnected connection to another connection existing in the same premises/property. Therefore, we do not find any illegality or arbitrariness in the action of the respondent in retaining the transferred dues against the remaining five connections.

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Sharma

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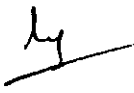
Accordingly, the complaint, being devoid of merit, is dismissed. The respondent, however, shall ensure that the dues are correctly apportioned only to the connections which are actually found existing in the premises related to the disconnected CA No. 101266629.

ORDER

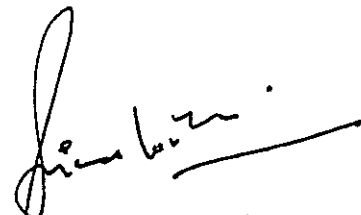
The complaint is rejected. OP has rightly transferred the dues of disconnected CA No. 101266629 in the name of Pushpa Devi to the live connections installed in the subject premises. However, the OP is directed to waive off entire LPSC from the transferred dues and if required by the complainant, the complainant should be allowed easy installments of the transferred dues along with payment of current dues.

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
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