



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA
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(Regd. Post)

Appeal No : 41 of 2025
Registered on : 12.09.2025
Date of Order : 10.10.2025

In the matter of: -

Appeal against the order dated 11.08.2025 passed by CGRF, DHBVN Gurugram in case No 4900/2025

Chandan Bir Singh Chadha Son of Sh. Iqbal Singh Chadha, Resident of H.No. 58, Chander Nagar, Janakpuri, New Delhi and AP-0006, G Block, Palam Vihar, Gurugram, Haryana.

Appellant

Versus

1. The XEN/OP, Sub Urban Divn., DHBVN, Gurugram, Haryana
2. SDO/OP, Sub Division, DHBVN, Maruti, Gurugram, Haryana
3. Sh. Viyayant Chaudhary, Made respondent based on application under CPC 10

Respondent

Before:

Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:

Shri Chandan Bir Singh Chadha
Shri Shubham Kaushik, Advocate
Shri Jaiveer Nandal, Advocate

Present on behalf of Respondents:

Shri Raghav Kakkar, Advocate
Shri Rahul Yadav, SDO Maruti Road
Shri Vijayant Chaudhary, Respondent No.3
Shri Pankaj Dhar, Advocate for respondent No 3

ORDER

A. Chandan Bir Singh Chadha Son of Sh. Iqbal Singh Chadha, Resident of H.No. 58, Chander Nagar, Janakpuri, New Delhi and AP-0006, G Block, Palam Vihar, Gurugram, Haryana has filed an appeal against the order dated 11.08.2025 passed by CGRF, DHBVNL, Gurugram in case No. 4900 of 2025. The appellant has submitted as under:

1. That the appellant is a consumer, holding account no. 9031950000 registered with SDO(OP) S/Divn. Maruti, DHBVNL, Gurugram, Haryana and is aggrieved of the impugned order dated 11.08.2025, passed by the Consumer Grievances, DHBVNL, Gurugram. Accordingly, the appellant is competent to invoke the appellate jurisdiction of this Ld. Court.
2. That brief facts leading to the filing of the instant petition are enumerated herein under below for a ready reference of this LD. Court as under:
 - (i) That the appellant is an owner in possession of one industrial plot bearing no.386 Phase-IV, Udyog Vihar, Gurugram since the year 2001 and is running a garment factory there upon since then. The factory employees approximately 100 skilled and unskilled workers.

- (ii) That above said plot was purchased by the appellant from Sh. Jagdeep Singh Sahni (brother in law of the petitioner), through his duly constituted attorney namely Smt. Rani Chawla, who through a General Power of Attorney dated 07.02.2001 was authorized to either transfer, sale or alienate the above said plot.
- (iii) That as such, Smt. Rani Chawla, upon the strength of her aforementioned General Power of Attorney, executed an agreement to sell dated 07.02.2001 with the appellant for a total sale consideration of Rs.14,50,000/- fully paid to her by the appellant. Resultantly, vacant and peaceful possession of the above said plot was handed over to the appellant on the same date. Therefore, the appellant is in peace-full possession of the plot under reference since then.
- (iv) That however, after the execution of above said agreement to sell in his favour, appellant learnt that the above said plot is encumbered, since a sum of Rs.7,96,000/- is outstanding to the Union Bank of India, against a loan facility which was availed by Jagdeep Singh Sahni(Seller of Petitioner) in the name of M/s Orimono Apparells Pvt. Ltd. of which Jageep Singh Sahni was the sole proprietor. Accordingly, in order to safeguard his interest, and upon request of his seller, appellant cleared the loan by making payment of above said amount to Union Bank of India, on behalf of Jagdeep Singh Sahni.
- (v) That similarly, after passage of approximately 2 years thereafter, appellant again received a notice issued by the Court of law under Section 14 of the SARFAESI Act, 2002 for taking possession of the plot under reference at the behest of Union Bank of India, Karol Bagh, New Delhi.
- (vi) That upon enquiry it was learnt that Jagdeep Sahni had also mortgaged the plot under reference, with the Union Bank of India for a loan facility which was availed by his in the name of his another proprietorship firm namely M/s AI International.
- (vii) That notably, similar kind of fraud was also found to be played by Jagdeep Singh Sahni with one Narinder Jain by selling another property bearing no.R21 situated at Inderpuri, New Delhi, by concealing from him that the said plot already stood mortgaged with Union Bank of India, Karol Bagh, New Delhi. Ultimately upon a complaint filed by Narinder Jain, Jagdeep Singh Sahni was arrested in the said criminal case.
- (viii) That significantly, during the pendency of above said criminal proceedings initiated by Sh.Narinder Jain, before the Court of Ld. Chief Metropolitan Magistrate, an agreement was reached between the appellant and said Jagdeep Singh Sahni regarding plot under reference (386 Udyog Vihar, Phase-IV, Gurugram) whereby the appellant agreed to pay additional sum of Rs.40 Lakhs, subject to the condition that sale deed of the said plot shall immediately be executed in the favour of the appellant.
- (ix) That as such vide its statement dated 16.08.2005, Jagdeep Singh Sahni undertook before the Court of Ld. Chief Metropolitan Magistrate to

execute the sale deed in favor of the appellant and the appellant paid a sum of Rs.40 Lakhs to the Union Bank of India on behalf of accused Jagdeep Singh Sahni. Pursuant to above, Jagdeep Singh Sahni was granted bail by the Ld. Court. A copy of the order dated 16.08.2005 passed by the Court of Ld. Chief Metropolitan Magistrate is appended for a kind perusal of this Ld. Court as Annexure A-1.

- (x) That since thereafter, the appellant has been running from pillar to post in order to get the sale deed of above said plot executed in his favour, but all in vain. Resultantly the appellant was constrained to file a criminal complaint against Jagdeep Singh Sahni and others with the economic offence wing, New Delhi for Commission of Offence U/s 415, 420 IPC.
- (xi) That still further in the year May, 2006, appellant again received a show cause notice dated 08.05.2006 issued by the Haryana State Industrial Development Corporation Ltd. alleging that use of premises under reference is not as per the terms and condition of lease dated 06.09.1994 and that the said plot has been unauthorizedly sold to one Vijayant Chaudhary proprietor of M/s HIYA Enterprises. Reply to above said show cause notice was thereafter submitted by the appellant through his letter dated 12.06.2006 denying the unauthorized use or any sale or transfer of premises in favor of Vijayant Chaudhary.
- (xii) That also through the above said letter, appellant apprised the authorities that it is the appellant who is in peaceful possession of the plot and has been paying the maintenance charges/other dues to the authorities since the year 2001. Even till date, appellant is in continuous possession of the plot and is paying all statutory dues/charges since then.
- (xiii) That now despite execution of agreement to sell in his favor dated 07.02.2001 as well as an undertaking given before the Court of law, appellant gathered that Jagdeep Singh Sahni vide one alleged sale deed dated 23.02.2005 has transferred the title of above said plot in favor of one Vijayant Chaudhary and Varun Behal which seemingly at the first instance was a fraud played upon the appellant through a well knitted conspiracy between the parties therein and is an outcome of an evident sham transaction.
- (xiv) That feeling cheated, appellant got lodged one FIR bearing no.53/2005 at Police Station Economic Offences Wing, New Delhi against Jagdeep Singh Sahni, his family members as well as above said beneficiary of alleged sale deed namely Vijayant Chaudhary and Varun Behal. Final report in the case was however filed by the authorities against Jagdeep Singh Sahni whereas the case is pending consideration upon protest petition of the appellant.
- (xv) That similarly one criminal complaint bearing no.144/2009 was filed by Vijayant Chaudhary against the appellant wherein vide its report dated 27.04.2009, appellant was found to be in possession of plot.
- (xvi) That now, having left with no other remedy, appellant challenged the above said sale deed bearing no.23333 dated 23.02.2005 allegedly

executed by Jagdeep Singh Sahni in favour of Vijayant Chaudhary, before the competent Courts at Gurugram bearing Civil Suit No. 180/2016. However, said civil suit was dismissed by the Ld. Court for non-prosecution, but is now pending consideration before the Court of Ld. Additional District Judge, Gurugram and is next fixed for hearing on 19.02.2025. A copy of order dated 24.02.2025 is appended for a kind perusal of this Ld. Court as Annexure A-2.

- (xvii) That pursuant to above, there had been no interference of any kind in the premises by Vijayant Chaudhary or his associates, agents, assignees etc and the appellant had been peacefully enjoying the possession of plot upon the strength of his ownership. However, on 17.11.2023, appellant gained knowledge of a fact that now, Vijayant Chaudhary has purchased half share of the property under reference from its alleged part owner namely Varun Behal vide sale deed no.8154 dated 16.10.2023 registered in the office of Sub Registrar Gurugram.
- (xviii) That to the surprise of the appellant, representative of HSIIDC, Haryana arrived at the premises of the appellant on 02.07.2024 seeking to draw a report qua physical possession upon the request of Vijayant Chaudhary, who had applied for transfer of above plot in his favour for enabling him to set up a garment factory over the same.
- (xix) That immediately, without loosing any time, appellant filed a civil suit before the Court of Ld. Civil Judge, Gurugram bearing No. CS/2179/2024, thereby seeking declaration of sale deed dated 11.10.2023 as well as 23.02.2005 to be null and void, not binding upon the rights of the appellant, with a prayer to restrain the respondents therein and others from interfering in peaceful possession of the appellant.
- (xx) That notice was issued in the above said suit along with application seeking injunction against the respondents, where-upon written statement cum counter claim on behalf of Vijayant Chaudhary was filed before the Court of law. A copy of the written statement dated 01.03.2025, submitted by respondent No. 3 before the Court of Law is appended for kind perusal of this Ld. Court as Annexure A-3.
- (xxi) That surprisingly during the pendency of above said civil suit, respondent No.3 approached the authorities namely Dakshin Haryana Bijli Vitran Nigam Limited asserting himself to be the sole owner of the plot and thereby praying for change in name of the connection installed at the premises possessed by the appellant and also the disconnection thereof being not required. A copy of the application submitted by Vijayant Chaudhary to the XEN, DHBVNL dated 21.11.2024 is appended for kind perusal of this Ld. Court as Annexure A-4.
- (xxii) That the petitioner by means of filing an application under Order 1 Rule 10, Code of Civil Procedure, 1908, sought impleadment of DHBVNL as defendant in the suit which accordingly was allowed by the Ld. Court vide its order date 13.01.2025 inter-alia observing that Vijayant Chaudhary

has got recorded himself as owner in possession of suit property in the record of DHBVNL after the institution suit by the appellant, meaning thereby said changes are incidental to the main suit wherein legality of main suits is yet to be decided on merits.

(xxiii) That also while allowing the impleadment of DHBVNL as defendant in the suit, the Ld. Court had categorically observed that the same has to show as to on what basis/documentary evidence, electricity connection has been disconnected. Accordingly, application filed by the petitioner - plaintiff under Order 1 Rule 10 was allowed by the Ld. Court vide its order dated 13.01.2025. A copy of order dated 13.01.2025 is appended for a kind perusal of this Ld. Court as Annexure A-5.

(xxiv) That reply to the above said application was filed by the respondent No.02 averring that electricity connection in the said premises was installed in the name of Mr. Jagdeep Singh Sahni bearing account no.9031950000, with a sanctioned load of 19Kw but the same was disconnected on 21.11.2024 upon an application submitted by Vijayant Chaudhary. Since then there is no electricity connection in the above said premises, being illegally and arbitrarily disconnected by Respondent No. 2 vide permanent disconnection order dated 21.11.2024. A copy of reply and the order dated 21.11.2024 is appended for a kind perusal of this Ld. Court as Annexure A-6 and Annexure A-7.

(xxv) That subsequently, order dated 13.01.2025 allowing impleadment of DHBVNL as defendant in the suit was set aside by the Hon'ble High Court vide its order dated 22.04.2025, passed in CR-1007/2025, though granting liberty to the petitioner to avail his remedies available under law. A copy of the order dated 22.04.2025 passed by this Hon'ble Court is appended for a kind perusal of this Ld. Court as Annexure A-8.

(xxvi) That constrained of an illegal, abrupt and un-lawful disconnection of electricity by respondent no.2, over the premises owned and possessed by the petitioner, thereby resulting into infringement of his fundamental rights, the same filed a Civil Writ petition before the Hon'ble Punjab and Haryana High Court at Chandigarh bearing CWP No.12729/2025. The said petition was however ordered to be dismissed as withdrawn by the Hon'ble Court vide its order dated 16.05.2025, while granting liberty to the appellant to approach the Ld Consumer Grievance Redressal Forum. A copy of the order dated 16.05.2025 is appended for a kind perusal of this Ld. Court as Annexure A-9.

(xxvii) That in pursuance to the liberty granted above, appellant filed a petition bearing case No.4900/2025 before the Ld. CGRF Gurugram wherein the final order was passed by the Ld. Court on 11.08.2025. A copy of the impugned order dated 11.08.2025 is appended for a kind perusal of this Ld. Court as Annexure A-10.

(xxviii) That the impugned order is arbitrary, non-speaking, self-contradictory and thus is liable to be modified to the extent the same fails to issue any clear, unambiguous, or emphatic directions to the

respondents inter-alia on the grounds as under :

3. That at the very outset, it is pertinent to submit that a bare perusal of the impugned order would establish that the same is completely non-speaking and reflects non application of judicious mind. Despite the fact that the Ld. Authority has categorically observed that the appellant is a actual end user of the electricity connection installed upon the premises and that the respondent have disconnected the electricity without affording any prior notice to such user, the Ld. Authority has failed to issue any mandate or clear direction to the respondents to restore the connection or in the alternative issue a new connection to the appellant. In absence of such direction/mandate, entire order/judgment passed by the Ld. Authority is rendered ineffective, failing to address the grievance of the appellant in its letter and spirit and thus is liable to be modified on this score.
4. That still further, while passing the impugned order, the Ld. Court though rightly observed a fact that the respondents have hastily changed the name and disconnected the electricity supply, without following a due procedure of Law, yet very surprisingly no order/direction in order to re-connect the electricity connection has been passed. Rather, the instant matter had been arbitrarily and illegally left to the discretion of the respondent which renders the entire decision/order to be ambiguous, unclear and thus liable to be modified.
5. That be that as it may, a bare perusal of the impugned order would also establish a fact that the same is arbitrary in so far as even the fundamental right of the petitioner to have an electricity connection at its premises is undermined. The right to electricity is a fundamental right as enshrined under Article 21 of the Constitution of India and thus ought not to have been loosely dealt. On account of failure of respondents in reconnecting the electricity connection not only his fundamental right under Article 21 is violated but also his right to trade as guaranteed under Article 19 is being jeopardised. The petitioner is illegally forced to run his unit through alternative means such as inverter, gensets etc.
6. That the appellant is a bona-fide user of electricity. Till the order of disconnection was passed, appellant was depositing the electricity dues which were admittedly being accepted by the respondents. The connection has been disconnected merely on the basis of unverified, forged and fabricated documents which are already under challenge before the Ld. Civil Court at Gurugram. Accordingly, restoration of electricity at the premises of the petitioner ought to have been immediately restored.
7. That the appellant has not filed any such or similar appeal either before this Ld. Court or before the Hon'ble High Court against the order dated 11.08.2025 passed by the Ld. CGRF, Gurugram, Haryana in case No. 4900/2025.

It is therefore most respectfully prayed that the instant appeal may kindly be allowed and the impugned order dated 11.08.2025 passed by the Ld. CGRF, DHBVNL, Gurugram may kindly be modified and

directions/orders may kindly be issued to the respondents to restore the electricity connection bearing No. 9031950000 under SDO(OP) S/DIV. Maruti, DHBVNL, Gurugram, in view of the facts and circumstances of the case as well as in the interest of justice and fair play.

- B.** The appeal was registered on 12.09.2025 as an appeal No. 41 of 2025 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 08.10.2025 at 11:00 A.M.
- C.** Hearing was held on 08.10.2025, as scheduled. Both the parties were physically present and counsel of the respondent has attended the hearing through Video Conferencing. During the course of the hearing, as the counsel for the appellant submitted that the possession of Plot No. 386, Phase-IV, Udyog Vihar, Gurugram, has been with Shri C.B.S. Chadha since 2001. Furthermore, there is an ongoing judicial proceeding between Shri C.B.S. Chadha and Shri Vijayant Chaudhary concerning the ownership of the aforesaid plot, upon which the electricity connection bearing Account No. 9031950000 was installed.

During the hearing, documents were tendered by the representative of the Sub-Divisional Officer (SDO), Shri Dhiraj Kumar, LDC which were purportedly relied upon for effecting the change of name and issuing the Permanent Disconnection Order (PDCO) based on the application submitted by Shri Vijayant Choudhary. Accordingly, the respondent SDO is directed to furnish the following particulars prior to the next date of hearing:-

- (a) The application for the release of a temporary connection, along with the documents uploaded by the appellant in compliance with the directions issued by the Consumer Grievance Redressal Forum (CGRF), Gurugram, during the pendency of the appeal before the CGRF?
- (b) The reasons for which the temporary connection was not released to the appellant in accordance with the order of the CGRF, Gurugram?
- (c) The documents considered for the release of the connection, the change of name, and the actions taken thereon by the respondent SDO in compliance with the order of the CGRF, Gurugram?
- (d) The reply submitted by the respondent SDO addressing the observations made by the Hon'ble Court regarding the manner in which the disconnection of Account No. 9031950000, installed at Plot No. 386, Phase-IV, Udyog Vihar, Gurugram, was affected during pendency of Civil Court proceedings.
- (e) Additionally, the appellant was directed to submit the details of the court case, including the case number, the court in which it is pending, and the current status, vide which the ownership of the said plot is sub judice?
- (f) The respondent SDO was further required to furnish the details of any instructions, if issued by the Dakshin Haryana Bijli Vitran Nigam (DHBVN), by way of which an electricity connection may be released without requiring proof of ownership of the plot?

Appellant and Respondent are directed to be available physically during the next date of hearing.

As the counsel for the respondent, Shri Raghav Kakkar, sought additional time to file a reply to the appeal. Therefore, the case was adjourned and shall now be heard on 10.10.2025.

D. Further, Sh. Vijayant Chaudhary on dated 08.10.2025 submitted an application for considering him also making a party in the matter as the decision by the instant forum will affect his interests being an aggrieved party in the matter. Accordingly, the application made in the CPC section under 10 was considered and he was made respondent No. 3 in the matter.

E. The counsel of respondent vide email dated 10.10.2025 has submitted reply which is reproduced as under: -

1. That, the present Reply is being filed by The Executive Engineer Operation, DHBVN, City Division, Gurugram (the “Respondent No. 1”) and SDO Operation Dakshin Haryana Bijli Vitran Nigam, Gurugram (the “Respondent No. 2”) having office at New Palam Vihar Sub-Division, Gurugram, (collectively the “Respondents”) to the Appeal filed before the Electricity Ombudsman Haryana bearing Appeal No. 41/2025 (the “Appeal”).
2. That, it is most respectfully submitted that no averments, statements, submissions, grounds, contentions, or allegations made by the Appellant in the Appeal shall be admitted or deemed to be admitted for reason of non-traverse or otherwise save and except these are expressly admitted herein.
3. That, it is respectfully submitted that the present Appeal cannot be allowed in favour of the Appellant hereto (reasons for which are explained in detail hereunder) as the Appeal in itself, is devoid of any substance and merit and is made with the mala-fide intention to mislead, misguide and misrepresent this Hon’ble Ombudsman.
4. That, the Appellant is seeking restoration of electricity connection no. 9031950000 which was disconnected on *vide* Permanent Disconnection Order (the “PDCO”) No. 2448260841 dated November 21, 2024. The relief sought by the Appellant cannot be granted on the basis of the following objections:

Brief Facts:

5. That, it is submitted that the electricity connection bearing no. 9031950000 was issued under the LTS category with a sanctioned load of 19KW in the name of Sh. Jagdish Singh Sahani at the premises bearing no. 386, Phase-4, Udyog Vihar, Gurugram (the “Property”).
6. That, it is apposite to mention here that due to online billing system, the electricity bills qua the electricity connection no. 9031950000 were paid through an online portal only. Therefore, the Respondent in no point in time had any information regarding the actual user of the electricity.

7. That, all the electricity bills which were raised by the Respondent were in the name of the Mr. Jagdeep Singh and the Appellant had never approached the Respondent during the intervening period before the dispute in the present matter arose to change the name of beneficiary of electricity connection bearing no. 9031950000. A copy of the Bill dated October 14, 2024 is annexed hereto and marked as Annexure R-1.

8. Thereafter, Mr. Vijayant Chaudhary moved an application dated November 07, 2024 seeking change in the name of beneficiary of electricity connection no. 9031950000. Subsequently, after verifying the documents and visiting the site by the concerned JE, the beneficiary name was changed from Mr. Jagdeep Singh to Vijayant Chaudhary son of Sh. Gopi Chand. It is apposite to mention here that the Respondent accepted the application of Mr. Vijayant Chaudhary only after he submitted his application along with all the requisite documents which are listed herein below:

- (a) Adhaar Card of Vijayant Chaudhary;
- (b) Copy of Sale deed bearing dated October 16, 2023 in favour of Vijayant Chaudhary executed by Sh. Jagdeep Singh;
- (c) Copy of Re-allotment dated November 06, 2024 bearing reference no. HSIIDC/ UV/Gurugram/2464 issued by the HSIIDC.

All the aforementioned documents are annexed hereto and marked as Annexure R-2.

9. Thereafter, Vijayant Chaudhary moved an application to the Respondent for disconnection of the aforesaid electric connection. Subsequently, as per request of the said person Mr. Vijayant Chaudhary, the respondent disconnected the aforesaid connection *vide* Permanent Disconnection Order (the "PDCO") No. 2448260841 dated November 21, 2024, and since then the aforesaid connection is disconnected as per record of the respondent. The relevant extract of the application is reproduced hereunder:

"The subject plot was transferred by HSIDC in favor of Mr. Vijayant Chaudhry S/o Late Ch. Gopi Chand resident of House No. 1311, Sector 21, Panchkula and reallotment letter was issued in favor of Mr. Vijayant Chaudhry, by HSIDC vide re-allotment letter dated: 06.11.2024

Conveyance deed was registered in favor of Mr Jagdeep Singh Sahini vide dated 29.10.1996. Thereafter, sale deed was registered in favor of Mr. Vijayant Chaudhary and Mr. Varun Behal, vide dated: 73.02.2005 and undivided half share sale deed registered in favor of Mr. Vijayant Chaudhry vide dated: 16.10.2023.

Now, I am the owner of the plot no.: 386, Phase 4. Udyog Vihar Gurugram and absolute ownership of the plot is with me. The above said electricity connection is in my name and I have no requirement of electricity connection. It is therefore requested to kindly disconnect the said electricity connection.

Further, it must be noted that the said connection shall not be restored without my personal written confirmation and personal appearance before the Competent Authority."

A Copy of application for disconnection and copy of PDCO are attached hereto and marked as Annexure R-3(colly).

OBJECTIONS TO THE PRESENT APPEAL

10. That, the Appellant before raising the issue before the Id. CGRF has never shown up before the Respondent to prove his ownership over the property. The Appellant has also failed to place on record any representation addressed to the Respondent qua the possession or ownership of the Property.
11. Further, the Appellant has expressly admitted before the Hon'ble High Court, when the Appellant sought to implead the Respondent as necessary party to the Civil Revision No. 1007 of 2025, that the Appellant has not sought any relief qua the Respondents herein. Consequently, the Application for impleadment was dismissed by the Hon'ble High Court vide Order dated April 22, 2025. The relevant extract of the Order is reproduced hereunder:

"3. Per contra, learned counsel for plaintiff-respondent No.1 would contend that DHBVN is a necessary and a proper party. However, on a query by the Court as to whether any averment has been made in the plaint against DHBVN, learned counsel for plaintiff-respondent No.1 has fairly conceded that neither any such averments has been made in the plaint nor any relief has been claimed against DHBVN.

4. Heard.

5. In the present case, since there is no relief claimed nor any averment has been made in the plaint against DHBVN, there was no question for its impleadment as a party.

6. In view thereof, the present revision petition is allowed and the impugned order dated 13.01.2025 (Annexure P-7) passed by the learned Civil Judge (Junior Division), Gurugram cannot be sustained and the same is accordingly set aside. The application filed before the Trial Court under Order I Rule 10(2) CPC read with Section 151 CPC for impleadment of Dakshin Haryana Bijli Vitran Nigam Ltd. (DHBVN) stands dismissed."

THE RESPONDENT DISCONNECTED THE ELECTRICITY CONNECTION AFTER FOLLOWING THE DUE PROCEDURE.

12. That, the Appellant has raised baseless contention that the electricity connection has been disconnected merely on the basis of forged and fabricated documents and the Respondent has not followed proper procedure for the same. However, the Appellant in the present Appeal has failed to prove that the documents submitted by Mr. Vijayant Chaudhary were forged and fabricated nor the Appellant has been able to place on record any Court order declaring the said documents as forged and fabricated.
13. It is pertinent to mention here that the request of Mr. Vijayant Chaudhary was accepted by the Respondent only after all the requisite documents were supplied by him. It was only after Mr. Vijayant Chaudhary supplied

documents supporting his claim, the Respondent changed the beneficiary name and later disconnected the connection as per his request.

14. It is apposite to mention here that the Respondent duly asked Mr. Vijayant Chaudhary to clear the pending electricity dues before accepting his request of disconnection. As per the records of the Respondent, it was only after Mr. Vijayant Chaudhary duly cleared the bills, the electricity connection was disconnected on November 21, 2024. Thereafter, the security deposited was automatically adjusted which is duly recorded in Bill dated November 26, 2024. A copy of the Bill dated November 26, 2024 is annexed hereto and marked as Annexure R-4.

15. Further, it is also submitted that the Appellant has also applied for a new connection which is pending with the Respondent because the Appellant has not submitted his ownership proof of the Property. As per the prevailing norms the Respondent cannot accept the application of any applicant without ownership proof. Therefore, if the applicant needs to fulfil the terms and condition of the Nigam in order to obtain the electricity connection. A copy of Application format of the Respondent for seeking new connection along list of requisite documents is annexed hereto and marked as Annexure R-5.

16. It is therefore, humbly submitted before this Hon'ble Commission that the present matter cannot be decided in the favour of the Appellant as there is no documentary proof which substantiates the Claim of the Appellant. The Respondent has no hesitation in releasing the electricity if the Appellant places on record proving his ownership over the said Property. The present matter is sub-judice and therefore liable to be dismissed.

F. Hearing was held on dated 10.10.2025, as scheduled. Both the parties were physically present and respondent and his counsel have attended the hearing through Video Conferencing. During the hearing the the counsel for the appellant made the contention that the appellant is having the GPA, Final payment receipt from the court and will in his favour. He further intimated that the main appeal is regarding the restoration of the electricity connection which was disconnected by the DHBVN authorities. He further agreed to the fact that the matter regarding the ownership of the plot is sub-judice before the Hon'ble civil court, Gurugram.

G. The Respondent counsel of DHBVN in his reply has contended that appellant is neither the owner of the said premise nor is having any electricity connection in his name. The counsel has further mentioned the judgement of the Hon'ble Supreme Court in the matter of Ramesh Chand and Suresh Chand (para No 17 and 18) of the civil appeal No.6377 of 2012 pronounced on 01.09.2025 which are sufficient to counter the claim made by the appellant.

Furthermore, the counsel requested to refer page 28 of the Reply submitted by the counsel wherein the documents that are required to be submitted along-with the application form for release of connection is to be submitted. The applicant needs to be owner of the said premises along-with the purpose for which the application

for release of the connection has been made. He further emphasized that applicant Sh. Vijayant Chaudhary has submitted the

- (a) Adhaar Card of Vijayant Chaudhary;
- (b) Copy of Sale deed bearing dated October 16, 2023 in favour of Vijayant Chaudhary executed by Sh. Jagdeep Singh;
- (c) Copy of Re-allotment dated November 06, 2024 bearing reference no. HSIIDC/ UV/Gurugram/2464 issued by the HSIIDC.

The above documents were sufficient for change of name and to carry out the PDCO as per the request application made by the applicant. It is matter of ownership which is to be decided by the Hon'ble Court of Law and they are ready to release as and when the appropriate document will be made available by the appellant as required by the DHBVN authorities in line with the instructions by DHBVN.

H. Sh. Vijayant Chaudhary has submitted the copies of the Sales deed from Sh. Jagdeep Shani and thereafter sale of the balance 50% share by Shri Vijay Behal in the matter. Sh. Vijayant Chaudhary has also submitted copies of the order passed by the Hon'ble courts in the matter from time to time. Furthermore, replying to the contention of the appellants counsel he replied that he is having objection if the connection is restored at the said site in the name of appellant. He further stated that the matter regarding the ownership of the plot is at present sub-judice to the court of Law.

The counsel of the Sh. Vijayant Chaudhary has also intimated the forum that the matter is sub-judice in the court of law and there are applications made by the appellant which have been rejected at various stages of the proceedings.

Decision

It was observed that the main issue pertains to ownership of the plot for which the matter is sub-judice in the civil court. There is no provision to release the instant connection as the period of RCO (6 months) from date of PDCO has also lapsed and appellant has sought restoration of electricity supply at the instant premise. At this point if the new connection is to be allowed then also the ownership of the plot is required to be proved as per the pre requisites for the release of the connection which is still yet to be decided by the Hon'ble Civil Court.

After hearing both the parties and deliberations made during hearing, it is decided that matter is sub-judice in Hon'ble Civil Court. no conclusive ownership documents can be considered at this stage-thus Electricity Connection cannot be released in the name of appellant. New connection to the appellant can be allowed only after ascertaining the ownership of plot. But matter of ownership is still pending in Hon'ble Civil Court, hence not allowed. Any order passed in contravention thereof would only be ultra vires the capacity of the forum.

Therefore, this forum doesn't have the competency to award the decision over and above the Hon'ble Civil court who is yet to pass orders about the ownership of the plot in question. Therefore, the application is disposed off.

The instant appeal is disposed of accordingly.

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 10th October, 2025.

(Rakesh Kumar Khanna)
Electricity Ombudsman, Haryana

Dated:10.10.2025

CC-

Memo No.1581/EO/HERC/Appeal No. 41/2025

Dated: 10.10.2025

To

1. Chandan Bir Singh Chadha Son of Sh. Iqbal Singh Chadha, Resident of H.No. 58, Chander Nagar, Janakpuri, New Delhi and AP-0006, G Block, Palam Vihar, Gurugram, Haryana. (Email jaiveernandal1078@gmail.com)
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8. Shri Vijayant Choudhary, S/o Shri C.H. Gopi Chand, House No. 1311, Sector-21, Panchkula, Haryana (Email vijayant@vchaudhry.com)