

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Muniraj Rajora
S/o Late shri Balram Singh
Gali no. 10, Amit Gram, Gumaniwala,
Rishikesh, Distt. Dehradun, Uttarakhand

Vs

1. The Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Doiwala, Distt. Dehradun, Uttarakhand.
2. Smt. Ekta Nagpal W/o Shri Karan Lamba, 92/2-1, Ganga Vihar, Haridwar Road, Dehradun, Uttarakhand.

Representation No. 62/2025

Award

Dated: 16.03.2026

Present appeal/ representation has been preferred by appellant, against the order of Consumer Grievance Redressal Forum, Garhwal Zone, (hereinafter referred to as Forum) dated 30.10.2025 in complaint no. 30/2025 vide which the complaint was dismissed of Shri Muniraj Rajora S/o Late Shri Balram Singh, Gali no. 10, Amit Gram, Gumaniwala, Rishikesh, Distt. Dehradun, Uttarakhand (hereinafter referred to as petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Doiwala, Distt., Dehradun, Uttarakhand (hereinafter referred to as respondent no. 1).

2. The present appeal has been preferred by Shri Muniraj Rajaora vs Executive Engineer Doiwala (R1) and Smt. Ekta Nagpal W/o Shri Karan Lamba (R2) being aggrieved and dissatisfied with Forum's order dated 30.10.2025 in his complaint no. 30/2025 before the said Forum. The petition is mainly for disconnection of temporary connection no. DW29999420503 released by R1 on 31.05.2025 to R2 against her application dated 27.05.2025. The petitioner has averred that the connection has been given by R1 to R2 in the premises, which belongs to him and without his consent or no objection, solely with the intention to prove ownership right on the property which according to

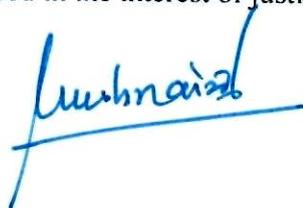
Muniraj

the petitioner belongs to him and on which he is the occupant on the premises for last about 10 years. A case no. 329/2025 on the property dispute was preferred before the Hon'ble Civil Judge (SD) Dehradun, which was dismissed and an appeal was preferred before the Additional District Judge Dehradun (appeal no. 126/2025) which is still pending before the said court and next date is fixed for 12.12.2025. A staff from UPCL came to install the meter on 31.05.2025, when he was present at the site along with a number of police persons and some advocates as well as some local residents. When he was apprised about the property dispute case and asked him not to install the meter, he went back without installing the meter, but he installed the meter on the same evening when they were out to the Police Chowki, Jollygrant. The connection was therefore released in contravention to UERC Supply Code Regulations, 2020 on the disputed property. The Forum without considering the facts of the case and the Civil case no. 329/2025 dismissed by the Civil Judge (SD), Dehradun dismissed the complaint vide order dated 30.10.2025 in his complaint no. 30/2025. The said temporary connection is not being used right from the date of its release on 31.05.2025 and intention for taking this connection is only to claim her ownership right on the property.

Grounds of Appeal: - That

- A. The Forum's order under reference is against the principles of law, evidences and the pending court case.
- B. The Forum failed to consider the status of the parties before the Court.
- C. The Forum failed to consider the facts put up before them during hearing and did not consider the facts in passing order, therefore the Forum's order is liable to be set aside.
- D. The Forum erred in understanding the facts of the case as well as legal angle applicable in the case for that reason also the Forum order is liable to be set aside.
- E. The Forum erred in passing the order in its jurisdiction and order is void of law.
- F. The appeal has been preferred within the prescribed time limit.
- G. The appeal has been preferred in the interest of justice.

Prayer



- i. Forum order dated 30.10.2025 be set aside.
 - ii. R1 be directed to immediately cancel the temporary connection no. DW29999420503 given on the disputed land.
 - iii. Cost be ordered to be given to the petitioner.
 - iv. Any other relief deemed justified by the Hon'ble Court.
3. The Forum perused the documents available on file and heard arguments from both the parties as well as third party. It is clear from the documents available on file that he has objection on giving connection to R2 on the land bearing no. 213, Khasra no. 871 (Area 245.71 Sq Meter). The complaint has been preferred by the complainant for disconnection of the aforesaid connection. The Forum also observed that the temporary connection to Smt. Ekta Nagpal was given by the department against her application dated 27.05.2025. A copy of the ownership registry of the land and a copy of Aadhar card was also adduced with the application. The Forum also examined the case no. 329/2025 preferred before Civil Judge (SD) Dehradun of Shri Muniraj Rajora vs. Shri Manmohan Lamba and others. The order dated 22.09.2025 passed by the said Court in the case and its point no. 27 and 28 were examined which reads as follows:

"27. अतः उपरोक्त विधिक प्रावधानों से यह स्पष्ट है कि कृषि भूमि के सम्बन्ध में स्वामित्व की उद्घोषण की बाबत वाद इस न्यायालय में दायर नहीं किया जा सकता है, जबकि कृषि भूमि होने के सम्बन्ध में विवाद का निस्तारण सक्षम न्यायालय के द्वारा किया जायेगा।

28. उपरोक्त परिस्थितियों के दृष्टिगत यह स्पष्ट है कि वादी द्वारा वादपत्र में दर्शित वादग्रस्त भूमि कृषि भूमि होना दर्शित होता है तथा वादी के द्वारा न्यायालय से स्वामित्व की उद्घोषण, आज्ञापक व्योदश एवं स्थाई व्यादेश का अनुतोष चाहा गया है तथा वादी के द्वारा स्वयं ही प्रस्तुत वादपत्र के कथनों से यह दर्शित होता है कि वादग्रस्त भूमि के सम्बन्ध में वादी एवं प्रतिवादी के मध्य स्वामित्व की उद्घोषणा का विवाद है जिसका विचारण इस न्यायालय के द्वारा न ही किया जा सकता है तथा सम्बन्धित राजस्व न्यायालय के द्वारा ही किया जा सकता है। अतः वादी का वाद आदेश 7 नियम 11 (घ)सी0पी0सी0 से बाधित होना दर्शित होता है"

The Forum observed that from above aforesaid points of order of Civil Judge Senior Division Dehradun, it is clear that the matter of ownership of the property is under dispute. The Forum mentioned that a connection given to an applicant by the licensee can only be disconnected under the provisions of chapter VI of UERC (Electricity Supply Code, Regulation 2020) which provides that a connection can be disconnected either on nonpayment of electricity

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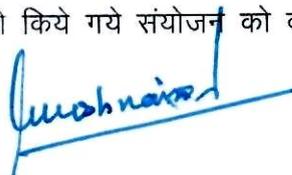
dues or on the written request of the connection holder. A connection therefore cannot be disconnected simply on the request of any other person not being the consumer himself as the licensee is not empowered to disconnect a connection on the request of any third person. The Forum also took cognizance of sub regulation 3.2.2 of UERC Supply Code Regulation 2020 in accordance which temporary connection to R2 was given on 31.05.2025. In view of the aforesaid provisions the Forum was of the opinion that the complaint was liable to be dismissed and the Forum has accordingly dismissed the complaint vide its order dated 30.10.2025

4. **WS of respondent no. 1 (Executive Engineer, EDD, Doiwala (R-1))**

The written statement has been submitted by the respondent no. 1 vide his letter no. 3756 dated 26.12.2025 along with a notarized affidavit. He has submitted as follows:

- i. He is working as Executive Engineer, EDD, Doiwala since 16.1.2024.
- ii. Smt. Ekta Nagpal, W/o Shri Karan Lamba had applied for a temporary connection vide application dated 27.05.2025 wherein necessary documents were submitted. The connection temporary was released in her favor on 30.05.2025.
- iii. No objection from anybody was submitted against the application for temporary connection till submission of the application and till installation of the meter.
- iv. A complaint was preferred by Shri Muniraj Rajaura before CGRF Dehradun (complaint no. 30/2025). After perusal of records and hearing arguments from the parties, The Forum found that property dispute is pending before Civil Judge, Senior Division Dehradun in the circumstances, the Forum passed its order as below:-

"माननीय उत्तराखण्ड विद्युत नियामक आयोग के विनियम UERC (The Electricity Supply Code, Release of New Connection and Related and Related Matters) Regulation, 2020 के Chapter 6 : Disconnection & Reconnection में विद्युत कनेक्शन के विच्छेदन संबंधी उल्लेख है, जिसके अवलोकन से यह सपष्ट है कि विभाग द्वारा किसी भी उपभोक्ता का कनेक्शन विद्युत बिल का भुगतान ना करने अथवा उपभोक्ता के लिखित आवेदन पर ही विच्छेदित किया जा सकता है। अन्य किसी भी व्यक्ति की इच्छा मात्र पर किसी अध्यासी के नाम जारी किये गये संयोजन को काटने का कोई अधिकार



उक्त रेगुलेशन में विद्युत विभाग को नहीं दिया गया है। प्रस्तुत प्रकरण में परिवादी द्वारा अपने विद्युत संयोजन को विच्छेदन करने हेतु कोई आवेदन भी विभाग में नहीं किया गया है, ऐसी दशा में विद्युत विभाग द्वारा पूर्व में निर्गत परिवादी के उक्त संयोजन को विच्छेदित करने अथवा विच्छेदित करने की धमकी देने का कोई अधिकार वर्तमान परिस्थितियों में नहीं है। "

5. **Written Statement dated 07.01.2026 by Smt. Ekta Nagpal (R-2)**

Smt. Ekta Nagpal has submitted her pointwise replies as follows:-

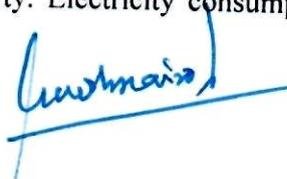
- i. She is respondent no. 2 in the present case and is fully acquainted with the facts of the case.
- ii. She has read the appeal and has fully understood its contents. The contents which are against the facts are not acceptable.
- iii. The appeal is beyond permissible time limit.
- iv. The Forum decided the complaint no. 30/2025 of Shri Muniraj Rajaura by its order dated 30.10.2025, the present appeal has been preferred on 10.12.2025 which is beyond time limit.
- v. No delay condonation application has been submitted by the appellant.
- vi. It is false and not acceptable that he received Forum's order dated 30.10.2025 on 14.11.2025 and therefore his claim that the appeal has been preferred within the prescribed time limit is not acceptable. The appeal would have been preferred within the 30 days from the date of Forum order which has not been complied with and therefore the appeal is liable to be dismissed legally being time barred.
- vii. The appellant's averment that he is the owner of the property on the basis of documents he has referred, is not acceptable. The fact is this that she is the occupant of the property Khasra no. 386 area 240 sqr meter in her capacity of owner of the property.
- viii. Para 2 of the appeal is false and is denied.
- ix. Para 3 of the appeal is false and is denied, it is false to say that after dismissal of case no 329/2025 by the Civil Judge Senior Division Dehradun an appeal no. 126/2025 is pending before 1st Additional District Judge, Dehradun.



- x. Para 4 of the appeal is false and denied his averments regarding his presence at site along with other persons mentioned in the appeal on 31.05.2025 is false.
- xi. Para 5 of appeal is false and denied, it is wrong to say that the concerned staff of UPCL acted in contravention to the provision of UERC Supply Code, Regulation 2020 installing meter at the premises.
- xii. Para 6 of appeal is false and denied it is wrong to say that the licensee and its staff erred in giving the connection under reference.
- xiii. Para 7 of appeal is false and denied.
- xiv. Para 8 of appeal is false and denied, it is wrong to say that the Forum passed order dated 30.10.2025 in complaint no. 30/2025 without understanding the circumstances of the case that aforesaid order was passed giving reference to case no. 329/2025.
- xv. Para 9 of appeal is false and denied.
- xvi. Para 10 of the appeal is false and denied. It is false to say that connection was not being used right from the date of its release on 31.05.2025 and it has been taken only with the tension to claim ownership right on the property. The appellant has no concerned with the property.
- xvii. Para A to G are false and denied.
- xviii. The connection was released to her on 31.05.2025 in accordance with provisions under sub Regulation 3.2.2 of UERC Supply Code, Regulation 2020 in the property which is in her occupation as well as in her ownership.
- xix. Chapter 6 of Supply Code, Regulation 2020 provides that a connection can only be disconnected either on nonpayment of electricity dues or on the written request of the consumer and it cannot be disconnected on the request of any other person as it is not within licensee's power to do so.
- xx. She has duly been making payment of electricity bills against her connection and she has never applied for its disconnection.
- xxi. Complaint of the appellant was rightly dismissed by the forum vide order dated 30.10.2025 in accordance with aforesaid regulatory provisions.
- xxii. The appellant has adduced no such documentary evidence to show that errors were committed by the Forum in passing the order. The appeal is therefore liable to be dismissed.

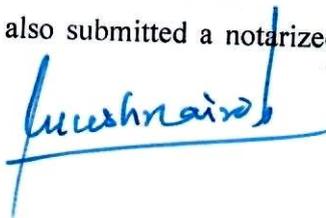


- xxiii. She has taken the connection in the property which is in her occupation being an owner.
- xxiv. The appellant has no concern with the property of respondent no. 2, this has been duly mentioned in civil case no. 47/2011 of Prabhakar Dutt Thapliyal vs Deepam in order dated 28.01.2016 which is the final order no. 25. She had submitted her objections in detail before the Hon'ble Forum and which is hereby confirmed. Case no. 329/2025 of Shri Muniraj Rajaura vs Shri Manmohan Lamba preferred by the appellant in the court of Civil Judge, Senior Division Dehradun based on false and fabricated documents which was duly dismissed by the Hon'ble Court which is under appeal before the 1st Additional District Judge, Dehradun as appeal no. 126/2025 and is still pending.
- xxv. Photo copies of her objections dated 23.09.2025 filed before the Hon'ble Forum as also a copy of case no. 329/2025 are enclosed herewith based on which the appeal is liable to be dismissed with cost.
6. The petitioner has submitted a rejoinder dated 12.02.2025. Replies to the written statement of both the respondents has been submitted in this rejoinder as follows: -
- i. Respondent no. 2 has intentionally tried to create confusion regarding the property. The khasra no. of the disputed property is 871, which is clear from the relevant documents as well as report of Lekhpal and Kanoongo. The petitioner has the ownership right on the property as per sale deed of 2015.
 - ii. He has the full physical possession on the property since 2015. A boundary wall was got constructed, a tin shed room was also got constructed by him in the year 2023 which still exists at site. Respondent no. 2 has the malafide intention to grab the property by misleading the department.
 - iii. The R1 committed gross carelessness in releasing the connection under reference. The case is in the notice of police and the property is under dispute.
 - iv. The Licensee UPCL has acted in contravention with UERC regulation in giving the connection.
 - v. R2 has taken the connection at this property with the intention to prove her ownership right on this property. Electricity consumption at the connection

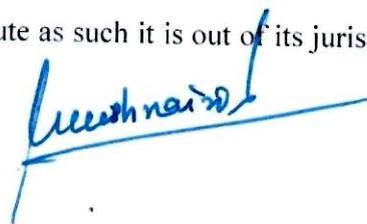


- after installation of meter is almost zero (0), which establishes that the connection has been taken with malafide intention.
- vi. Action under section 145 BNSS (earlier section 145 CRPC) is underway as the administration taken this property as disputed. The department has gone against rules in favour of the another party.
 - vii. The R2 herself agreed that the first appeal no. 126/2025 before ADJ Dehradun is still pending, so it cannot be treated as decided finally. Dismissal of complaint by Forum on the basis of treating it as dismissed is against law.
 - viii. The respondent's averment that the appeal is time barred is wrong because after deducting the time taken in delivery of the order, the appeal is within the time limit.
 - ix. Referring an old case of Shri Prabhakar Dutt vs Deep Ram for the year 2011 is out of context of the case. His case is based on Sale Deed of the year 2015. No old judgment or decision can be a bar on his rights.
 - x. The respondent has held his documents as fabricated, which is wrong. The duly registered and legal documents from sub registrar office are in his possession. If she had some objections on such documents he must have challenged them before the Court, but not using them before electricity department in her efforts to show a ownership right on the property.
 - xi. The department adopted dual policy in the matter while on one hand in spite of dispute on the property connection to R2 was given in a haste, on the other hand did not consider the documents submitted on 02.08.2025 regarding land dispute. It shows that the department was fully aware of the land dispute matter. This shows biased action by the department.
 - xii. The aforesaid facts shows that the department released connection to respondent no. 2 malafidely and if this connection is not cancelled it will cause irreparable loss to him.

In view of his aforesaid averments the petitioner has prayed that his appeal be allowed, connection given to R2 be cancelled and this connection be got disconnected immediately. The petitioner has also submitted a notarized affidavit along with his rejoinder



8. Hearing in the case was held on scheduled date 25.02.2026. All parties appeared. Petitioner appeared himself, R1 was represented by SDO and R2 was represented by her counsel. All parties argued their respective case orally. The petitioner again pressed that connection given to Smt. Ekta Nagpal be disconnected with immediate effect. Arguments were concluded and order was reserved.
9. Records and documents available on file were perused, relevant UERC sub regulation 3.2.2 and chapter 6 of UERC Supply Code regulations, 2020 were also gone through. Arguments from all the three parties were heard. Facts of the case as given below were noted: -
- i. Smt. Ekta Nagpal W/o Shri Karan Lamba applied for a temporary connection on 27.05.2025 necessary documents showing ownership of the property and Aadhar Card were also submitted with her application. The connection was therefore released in her favor on 31.05.2025 in accordance with the provisions under sub regulation 3.2.2 of UERC Supply Code Regulation, 2020.
 - ii. Subsequently Shri Muniraj Rajaura filed objections against giving connection to Smt. Ekta Nagpal on the grounds that he is the owner of the property where the connection has been given and therefore this is a illegal connection and could had not been given without his permission and his consent and therefore requested the department to disconnect the connection and remove the meter with immediate effect.
 - iii. As the department did not accede to his request a complaint was preferred by him before CGRF, Dehradun (complaint no. 30/2025) the complainant submitted before the Forum that a case no. 01/2025 CRPC (Section 145) was pending before Deputy Magistrate, Doiwala however respondent no. 1 submitted before the Forum that no such case is in their notice neither any communication regarding the case has been received from the said court. Petitioner also submitted before the court that a property dispute case no. 329/2025 Shri Mupiraj Rajaura vs Manmohan Lamba was filed before Civil Judge, Senior Division, Dehradun Para 27 and 28 of the judgment of the said court which were reproduced in Forum's order were considered by the Forum while passing the order. Since the said court turned down the case being a case of agriculture land under dispute as such it is out of its jurisdiction subsequently



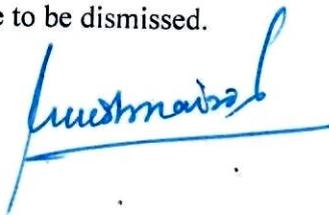
first appeal was preferred by him before Additional District Judge, Dehradun (case no.126/2025) which is still pending as averred by the petitioner himself and the next date was fixed 12.12.2025 but latest status of the case was not submitted by the petitioner till writing this order it is therefore clear that no judgment from the competent court on the property dispute matter is available.

- iv. The complaint was therefore dismissed by the Forum vide its order dated 30.10.2025 on the grounds that a connection legally given by the licensee to a consumer can only be disconnected either on nonpayment of electricity dues as provided under sub regulation 6.1 or on the request of the consumer as sub regulation 6.2 of UERC Supply Code Regulation, 2020 and the Forum holding that the licensee is not empowered to disconnect a connection on the request of any third person, dismissed the complaint vide its order dated 30.10.2025.

It is appropriate to mention here that a connection can also be disconnected under sub regulation 6.2 (6) of UERC Supply Code Regulation 2020 either under the orders of a Court of law declaring the possession unlawful or under the directions of statutory authority or District Magistrate which is reproduced below:-

In the event of any default or confirmation of unlawful occupancy of the premises by the court of law or non compliance of statutory provisions by the consumer or in the event of a legally binding directive by Statutory Authority(s)/ District Magistrate, the Licensee shall disconnect the service connection of the consumer for giving effect to such an order. This shall be without prejudice to any other rights of Licensee including that of getting its payment as on the date of disconnection.

- v. As no judgment from the competent court on property dispute matter is available on record neither any directions from the statutory authority/ district magistrate ordering disconnection is available and hence the aforesaid sub regulation 6.2 (6) as reproduced above is not attracted in the instant case.
10. In view of above facts and circumstances of the case the Forum's order dated 30.10.2025 passed in complaint no. 30/2025 is not to be interfered with being consistent with the aforesaid UERC Regulations and is therefore liable to be upheld. The petition is accordingly liable to be dismissed.



Order

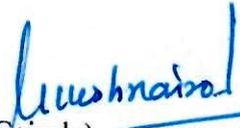
The petition is dismissed. Forum order is upheld.

Dated: 16.03.2026


(D. P. Gairola) 16.03.2026
Ombudsman

Order signed dated and pronounced today.

Dated: 11.02.2026


(D. P. Gairola) 16.03.2026
Ombudsman