



**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi -110017**

F.11(1729)/DERC/2019-20

**Petition No. 46/2019**

Under section 142 of the Electricity Act, 2003

**In the matter of:**  
**Sh. Dinesh Kumar,**

..... **Petitioner**

**Versus**

**BSES Yamuna Power Ltd.**  
**Through its: CEO**

.....**Respondent**

**Coram:**

**Hon'ble Sh. Justice S S Chauhan, Chairperson**

**Hon'ble Sh. A.K. Singhal, Member**

**Hon'ble Sh. A.K. Ambasht, Member**

**Appearance:**

Shri S S Chillar, Advocate for Petitioner.

Shri Manish Srivastava, Advocate for the Respondent.

**ORDER**

(Date of Hearing: 07.01.2020)

(Date of Order: 08.01.2020)

1. The instant petition has been filed by the Petitioner, Sh. Dinesh Kumar against BSES Yamuna Power Limited, alleging that the outstanding dues of other connection were transferred to the Petitioner's Connection bearing CA no. 100418323. The Petitioner has alleged the following:
  - a) that the provisions of Regulation 49 (ii) of DERC Supply Code, 2007 are not applicable to the Petitioner as the Petitioner was not registered consumer of CA no. 100449638 at any point of time and hence the outstanding dues of the said electricity connection cannot be recovered from the Petitioner who is registered consumer of CA no. 100418323.
  - b) there is limitation with respect to recovering the dues from the regd. Consumer which is within 2 years in total, unless such sum is continuously shown as arrears in the bill and the very first time 'other charges' were shown in the bill of the Petitioner in January 2016 which itself is beyond the period of limitation, if at all the Petitioner is liable to pay the said other charges.
2. Per contra, the Respondent has submitted that during inspection it was observed that the electricity connection of the Petitioner along with the other tenants were providing connection to the disconnected portion of late Smt. Shanti devi and accordingly dues of disconnected portions were transferred to the connection of the Petitioner by following due process of law.

3. The Commission observes that basically it is a grievance related to billing and the Petitioner has not mentioned any specific violations of provisions of Regulations/Act which may warrant action against the Respondent under Section 142 of the Electricity Act, 2003. The CGRF is the right forum for billing related dispute etc. and therefore, the Petitioner would have approached the concerned CGRF instead of the Commission. The grievance raised by the Petitioner cannot be redressed under Section 142 of the Electricity Act, 2003.
4. With the above observations, the Petition is disposed of.

*Sd/-*  
**(A.K. Ambasht)**  
**Member**

*Sd/-*  
**(A.K. Singhal)**  
**Member**

*Sd/-*  
**(Justice S S Chauhan)**  
**Chairperson**