

Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi –110 017

F.11(591)/DERC/2010-11/C.F.No. 2542/5946

Petition No. 50/2010

In the matter of: Complaint under Section 142 of the Electricity Act, 2003.

AND

In the matter of:

Abdul Khan
AB-479, G/F
Amar Puri, Ram Nagar,
Pahar Ganj,
New Delhi.

...Petitioner

VERSUS

BSES Yamuna Power Limited
Through its : CEO
Shakti Kiran Building,
Karkardooma,
Delhi-110 092.

...Respondent

Coram:

Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &
Sh. J.P. Singh, Member.

Appearance:

1. Sh. P.K. Mahur, Officer (Legal), BYPL;
2. Sh. Sita Ram, DGM, BYPL.

ORDER

Date of Hearing: 10.01.2012
(Date of Order: 23.01.2012)

1. The instant complaint has been filed by Sh. Abdul Khan, R/o AB-479, G/F, Amar Puri, Ram Nagar, Pahar Ganj, Delhi who is the registered consumer of BYPL having K.No. 1130P5091442, against the Respondent company under section 142 of the Electricity Act, 2003.

2. The brief matrix of the case is that on 04.08.2008, the consumer made a complaint of burnt meter to the Respondent (BYPL) which was changed on 06.08.2008 by the Respondent. On 14.08.2008, the complainant received a Show cause notice for DAE & subsequent personal hearing which was attended by the complainant on 14.10.2008. However, it has been alleged that the same was not conducted owing to public holiday on that day. The complainant has further stated that on 23.10.2010, he received a DAE bill of Rs.1,28,874/- showing connected load of 7 KW. The metered consumption of the consumer alleged to be found 22% of the normative consumption.
3. Against the above complaint, the Respondent was asked to file reply, who in addition to filing of his para wise reply on 13.01.2011, has also filed an affidavit on Oath on 29.09.2011, stating that during the pendency of this case in the Commission, the aforesaid matter had been amicably settled between both parties i.e. petitioner and respondent company, in July, 2010 and the complainant has made full payment as per settlement and no dispute remains in between both parties.
4. In pursuance of the above affidavit and withdrawal letter forwarded by the Respondent, the Commission sought confirmation from the petitioner by sending copies of all documents submitted by the Respondent and gave 15 days time to file reply. The letter was issued on 07.10.2011; however, the complainant failed to file any response. It is pertinent to mention that the complainant was also informed through the above letter that in the absence of his reply, it will be presumed that he is no more interested to press his prayer /grievance and the said complaint shall be treated as amicably settled and withdrawn.

5. Since, the Respondent has requested to dispose off the above complaint in light of amicable settlement and subsequent request of the petitioner for withdrawal of the complaint through its counsel and further since there is no response to the letter of the Commission, the Commission decides to dispose off the above complaint as considered, amicably settled and withdrawn.
6. Ordered accordingly.

Sd/-
(J. P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P. D. Sudhakar)
CHAIRPERSON