

Delhi Electricity Regulatory Commission

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

Ref. F.11(825)/DERC/2012-13/C.F.No. 3511/6347

RP No. 03/2011

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

In the matter of :
Shri Ajay Kumar
H. No.289, Village Shalimar
Delhi.

...Complainant

VERSUS

M/s Tata Power Delhi Distribution Limited
Through its : **CEO**
Hudson Lines, Kingsway Camp
Delhi-110009

...Respondent

Appearance:

1. **Shri K Datta, Advocate for the TPDDL**
2. **Shri Manish Srivastava, Advocate for the TPDDL**
3. **Shri O P Singh, Sr. Manager, TPDDL**
4. **Shri Shailender Singh, Sr. Manager, TPDDL**

Coram:

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

ORDER

(Date of hearing: 21.02.2013)

(Date of Order: 08.03.2013)

1. The present petition has been filed by Shri Ajay Kumar against Tata Power Delhi Distribution Limited under section 142 of the Electricity Act, 2003 for violation of Regulation 52 & 53 of DERC Supply Code and Performance Standards Regulations, 2007, while booking a DAE case in respect of his electricity K No.45300151448.
2. The Commission vide its Order dated 16.05.2011 had found the Respondent responsible for violation of procedural norms specified in the supply code and the Commission advised the Respondent (Licensee) to be careful while taking such action against any consumer and act strictly as per provisions of law, failing which it could consider imposition of penalty in future.

3. The Respondent had preferred appeal before the Hon'ble Appellate Tribunal for Electricity against the Order of the Commission dated 16.05.2011 wherein the ATE vide its Order dated 15.12.2011 in Appeal No.113 & 114 of 2011 set aside the above Impugned Order & remanded back the matter to the Commission to hear the parties concerned and pass an Order in the light of the ratio decided by the ATE in Appeal No.183 of 2010.
4. Accordingly, show-cause notice was issued to the Respondent on 13.06.2012 for violation of Regulation 52 (viii) & Regulation 53 of the DERC Supply Code, 2007.
5. However, the Respondent has filed a letter enclosing therewith an affidavit duly signed by the Sr. General Manager (BD & Regulatory), TPDDL, stating that the petitioner has already settled the matter amicably with them in on 19.03.2008 and deposited Rs.85000/- as per settlement.
6. The Respondent has also filed a copy of application/letter dated 19.03.2008 duly signed by the Petitioner, wherein the Petitioner had requested to settle the case out of Court with the Respondent.
7. The above mater was posted in the Commission on 21.02.2013 for hearing, which was attended by the above mentioned Counsels and officers of the Respondent. However, no one appeared on behalf of the complainant. It appears that the complainant is no more interested to continue with the above as the dispute between both the parties have been resolved.
8. In view of the facts stated above, the Commission decided to dispose-off the above petition considered as amicably settled.
9. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON