

Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi- 110017

F.11 (1495)/DERC/2017-18

Petition No. 33/2017

Under section 142 of the Electricity Act, 2003

In the matter of:

Shri Ajay Tyagi,
S/o Shri S.S. Tyagi,
R/o WZ-238, G.F. Shop,
Basai Dar Pur,
New Delhi – 110015

.....**Complainant**

Vs.

Tata Power Delhi Distribution Ltd.
Through its: **M.D**
Grid Sub – Station Building,
Hudson Lines, Kingsway Camp
New Delhi – 110009

.....**Respondent**

Coram: Sh. B.P. Singh, Member

Appearance:

1. Petitioner in person;
2. Advocate for the Petitioner;
3. Shri Manish Srivastava, Advocate for Respondent;
4. Shri Aditya Gupta, Advocate for Respondent;
5. Shri Shagun Trisal, Advocate for Respondent;
6. Shri O P Singh, DGM, TPDDL;
7. Shri J.K. Singh, TPDDL;
8. Shri Pratyush pandey, TPDDL.

ORDER

(Date of Hearing: 16.11.2017)

(Date of Order: 27 .11.2017)

1. The instant petition has been filed by Shri Ajay Tyagi under Section 142 of the Electricity Act, 2003 against Tata Power Delhi Distribution Ltd. for violation of the procedure laid down in Regulations of the Delhi Electricity Supply Code and Performance Standards Regulations, 2007.
2. The matter was heard on 16.11.2017. The counsel for the Respondent submitted that the petition is liable to be dismissed on the sole ground that the complaint has been filed after a gap of over 8 years from the date of the first inspection and after a gap of almost 7 years from the date of the

Speaking Order issued by the Respondent. The inspection was conducted on 09.12.2009 and the Petitioner has filed the instant petition on 12.07.2017. No sufficient reason for such a long delay is provided by the Petitioner.

3. The counsel for the Petitioner submitted that even though the petition is filed after 7 years, there are some violations which have been committed by the Respondent while booking the enforcement case. However, the counsel for the Petitioner could not explain the reason for filing the present petition after 7 years. Though there is no limitation as such prescribed, however, there must be a reasonable time within which the petition has to be filed from the date of cause of action. The delay of filing the present petition after 7 years is not justifiable and therefore, is liable to be dismissed.
4. The Petition is disposed of accordingly.

Sd/-
(B. P. Singh)
Member