

Delhi Electricity Regulatory Commission

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

F.11 (582)/DERC/2010-11/C.F.No. 2521/5718

Petition No. 57/2010

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

AND

In the matter of :

Anand Pal
S/o Sh. Roop Singh
H.No. 547, Baba Faridpuri,
West Patel Nagar,
New Delhi.

...Complainant

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. Pawan Kr. Mahur, Officer Legal, BYPL.

ORDER

Date of Hearing: 15.11.2011
(Date of Order: 11.01.2012)

1. The above complainant has filed this complaint under section 142 stating that the demand raised by the Respondent for Rs.19,370/- pursuant to framing a case of theft against the complainant may be quashed as the Respondent has not complied with the provisions of Regulation 54 read with Regulation 52(x) of the Supply code while framing the above case.
2. The brief matrix of the case is that the premises of the complainant was inspected on 25.01.2010, where connected load was found 1.088 KW against 3 KW domestic connection and meter date and time was found disturbed.

3. Owing to which, the Respondent booked a case of DAE (Meter Tampering) and issued a show cause notice having date 18.02.2010 which was received by the complainant, as per his allegation on 10.04.2010 along with the above assessed bill.
4. The Respondent was asked to submit para-wise reply on the above which he submitted on 13.01.2011, however, the Respondent has informed and submitted on Affidavit that during the pendency of the above case, the aforesaid matter had been amicably settled in between both parties i.e. petitioner and respondent company, in August, 2010 and the complainant has also paid full and final payment as per settlement and no dispute remains now. Petitioner also submitted an application for withdrawal of the complaint.
5. In pursuance of the above, the Commission has issued a letter to the complainant for seeking his confirmation on the above statement of the Respondent and gave 15 days time to file the reply. However, the Respondent has failed to file any reply till date.
6. The complainant was also informed through this letter that in absence of not filing of confirmation before the Commission till stipulated date, it will be presumed that the complainant is no more interested to press his prayer /grievance and the said complaint shall be construed as amicably settled and withdrawn.
7. The matter was listed for hearing on 15.11.2011, which was attended by the above officer of the Respondent whereas, no-one appeared on behalf of the complainant. So, in view of the non-filing of any reply and subsequent not attending the hearing by the Complainant, it is decided that the present application is considered as amicably settled and withdrawn and it is disposed off.
8. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON