

Delhi Electricity Regulatory Commission

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

Ref. F.11(613)/DERC/2010-11/C.F.No. 2595/6565

Petition No. 73/2010

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

AND

In the matter of :

Sh. Ashok Batra
E-173, Shastri Nagar,
Delhi

...Petitioner

VERSUS

Tata Power Delhi Distribution Ltd.
Through its : **MD**
Hudson Lines, Kingsway Camp,
Delhi-110 009

...Respondent

Coram:

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

Appearance:

1. Sh. K.L. Bhayana, Advisor, TPDDL;
2. Sh. O.P. Singh, Sr. Manager, TPDDL;
3. Sh. K. Datta, Advocate, TPDDL.

ORDER

Date of Hearing: 21.02.2012
(Date of Order: 28 .02.2012)

1. The instant complaint has been filed by Sh. Ashok Batra, R/o H.No. E-173, Shastri Nagar, Delhi, having K.No. 35300140502 for Industrial Purpose with 13 KW sanctioned load.
2. The brief matrix of the case is that the meter of the consumer was installed on 10.01.2007, which was burnt in the 2nd week of July, 2008 due to some technical fault and the same was again changed on

23.07.2008 by the Respondent. On 27.03.2009, the official of the Respondent came to inspect the premises on routine check up and got signature of the petitioner with an advice that everything was O.K. In April 2009, the complainant received a show cause notice for DAE. The complainant denied the allegations levied in the show cause notice during the personal hearing on 22.04.2009. The complainant received a speaking order dated 12.06.2009 along with DAE bill of Rs. 2,42,500/-. The complainant submitted a written representation dated 29.08.2009 in the office of NDPL.

3. The complainant is alleging that Regulation 52 and 53 of Supply Code have been violated by the Respondent.
4. However, the Respondent in addition to filing of its para wise reply on dated 16.11.2011 has also informed that the above matter has already been settled before the Pre Lok Adalat, convened under the aegis of the Delhi Legal Service Authority (North), Tis Hazari Courts, Delhi. The Respondent has further submitted that there is no cause of action subsisting anymore which may be adjudicated upon by the Hon'ble Commission. It has also been submitted that the complainant in furtherance of the same has also deposited a sum of Rs. 1,21,250/- against the assessed amount of Rs. 2,42,500/- in full and final settlement of the same.
5. In pursuant to the above, affidavit submitted by the Respondent, the Commission sought confirmation from the petitioner by sending copies of all documents submitted by the Respondent on the statement made there under and gave 15 days time to file reply. The letter was issued on 17.11.2011, however, no response has been received from the complainant so far.
6. It is pertinent to mentioned that the complainant was also informed through the above letter that in absence of his reply, it will be presumed that he has been no more interested to press his prayer/ grievance and the said complaint shall be treated as amicably settled and withdrawn.

7. Since, the Respondent has requested to dispose off the above complaint in light of amicable settlement before Lok Adalat and not filing of any reply/confirmation of the letter of the Commission by the complainant, the Commission decides to dispose off the above complaint as considered, amicably settled.
8. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON