# Delhi Electricity Regulatory Commission

**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17**

**F.11 (1171)/DERC/2014-15**

**Petition No. 60/2014**

**In the matter of:** Petition filed under section 142 of Electricity Act, 2003

**And**

**In the matter of:**

Ashok Pal
S/o Raghubir Pal,
516/3-A, Gali No. 11,
Maujpur, New Delhi – 110053 **…….Complainant**

VERSUS

BSES Yamuna Power Ltd.
Through its: **CEO**
Shakti Kiran Building,
Karkardooma
New Delhi – 110092 **…….Respondent**

**Coram:**
**Sh. P. D. Sudhakar, Chairperson & Sh. B. P. Singh,Member**

**Appearance:**

1. None for the Petitioner.
2. Shri Manish Srivastava, Advocate for Respondent.
3. Shri Munish Nagpal, Sr. Manager, BYPL.
4. Shri I U Siddiqui, Legal Officer, BYPL.

**ORDER**

(Date of Hearing: 16.10.2015)
(Date of Order: 29.10.2015)

1. The instant petition has been filed by Shri Ashok Pal under Section 142 of the Electricity Act, 2003 against BSES Yamuna Power Ltd. for violation of the procedure laid down of the Delhi Electricity Regulatory Supply Code and Performance Standards Regulations, 2007.

2. Notice of the petition was issued on 10.12.2014 to Respondent to file its reply.

3. In response to the above notice, the Respondent filed its reply on 10.02.2015 and has denied all allegations and sought dismissal of the above complaint on the following grounds:

a) The meter body top cover found smoky. Meter date & time found disturbed. It was found that one number wire piece was inserted in input neutral terminal. Meter billing data found disturbed.

b) Average consumption pattern as per computer module work out to 16.19% which is less than the prescribed limit of DERC and also corroborates the finding of lab report.

c) Average consumption after meter replacement is more than what recorded before replacement of meter during the corresponding period, which confirms that consumer has electronically tampered his meter.

4. The matter was listed for hearing in the Commission on 12.02.2015, which was attended by the Respondent, however, no appearance was made from the petitioner side. The Commission gave one last opportunity to the petitioner and adjourned the matter.

5. On the date of next hearing in the Commission on 18.06.2015, which was attended by the Respondent and a representative of the Petitioner. The representative of the Petitioner requested for a short adjournment on the ground that the Counsel for the Petitioner is unable to attend hearing before the Commission due to medical problem. The Commission accepted the request and adjourned the hearing for a future date.

6. The matter was again listed for hearing in the Commission today i.e. on 16.10.2015, which was attended by the Respondent, however, no appearance was made from the petitioner side neither any information was received.

7. In view of the above, the Commission is of the opinion that the Petitioner does not want to pursue the case and therefore, the Petition is dismissed without admission for default on the part of the Petitioner.

8. Ordered accordingly.

*Sd/-*
(B. P. Singh)
Member

*Sd/-*
(P. D. Sudhakar)
Chairperson