



**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017**

F.11(1875)/DERC/2021-22

**Petition No. 38/2021**  
**Under section 142 of the Electricity Act, 2003**

**In the matter of:**

**BSES Rajdhani Power Ltd.**  
**Through its: CEO**

.....Petitioner

**Versus**

**1. P.P. Buildwell Pvt. Ltd.**

**2. Classic Care Utilities Pvt. Ltd.**

**3. Westend Mall Occupants Welfare Association**

.....Respondents

**CORAM:**

**Hon'ble Sh. Justice Shabihul Hasnain 'Shastri', Chairperson**

**Hon'ble Dr. A.K. Ambasht, Member**

**Appearance:**

1. Shri Manish Kumar Srivastava, Advocate for Petitioner
2. Shri Rahul Sarkar, Advocate for Respondent No. 1 & 2
3. Shri Y.P. Sikri, Advocate for Respondent No. 3

**ORDER**

(Date of Hearing: 12.10.2021)

(Date of Order: 12.10.2021)

1. We have heard the aforesaid Counsels for some time. It appears that there are factual disputes amongst the parties which are in the nature of disputes regarding property and possession. There is a dispute between the Builder and the Association and there are disputes with the Electricity Discom. The association which was earlier involved in this case has been replaced by another association by virtue of election and new association has come in into picture. Today Mr. Sikri has put in appearance and the new Secretary is also present. This Commission feels that Petition does not lie to this Commission, as it is difficult to fix liability under Section 142 of the Electricity Act, 2003. The scope of a Petition under Section 142 of the Electricity Act, 2003 is very specific and

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limited. The Petition is misconceived, it is accordingly dismissed. However, the Petitioner shall be at liberty to approach any other forum, wherever the facts of the case can be adjudicated in accordance with law.

**Sd/-**  
**(Dr. A.K. Ambasht)**  
**Member**

**Sd/-**  
**(Justice Shabihul Hasnain 'Shastri')**  
**Chairperson**

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