Delhi Electricity Regulatory Commission

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

No. F. 11(1012)/DERC/2013-14/3981/

Review Petition No.01/2013

In the matter of: Review Petition against the Interim order dated 01.02.2013 in Petition No. 20/2012 (S.K. Maheshwari vs. BYPL)

In the matter of:

M/s BSES Yamuna Power Ltd.
Through its: CEO
Shakti Kiran Building
Karkardooma
Delhi-110092 **…Petitioner**

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

Appearance:

1. Sh. Manish Srivastava, Advocate for Respondent;
2. Sh. Imran Siddiqi, Legal Officer, BYPL;
3. Sh. Prasant Mehra, Sr Manager, BYPL;
4. Sh. K. Datta, Advocate for Respondent, BYPL

ORDER

(Date of Hearing: 11.09.2014)
(Date of Order: 18.09.2014)

1. The review petition has been filed by M/s BSES Yamuna Power Ltd. against the Interim order dated 01.02.2013 of the Commission in Petition no. 20/2012 (S. K. Maheshwari vs BSES Yamuna Power Limited), whereby a penalty of Rs. 90,000/- was imposed on the Discom, which had to be paid within one month from the date of the order.

2. The review petition was filed after the period of limitation for filing a review petition i.e. on 16.07.2013 (30 days from passing of the order excluding time taken to obtain certified copy) and beyond the date of depositing the amount of penalty.

3. The grounds on which review can be sought are enumerated in Order 47, Rule 1 CPC, which are as under:
   i. Discovery of new and important matter or evidence, or
   ii. Mistake or error apparent on the face of the record, or
   iii. Any other sufficient reason.

4. The Commission observed that in the instant review petition, no new facts of law has been produced neither there is any mistake or error apparent on the face of the records. The only reason cited by the Petitioner is that the Petitioner is trying its best to ensure and comply with the directions of this Hon'ble Commission. The petitioner has cited reasons for non compliance such as installation of AMR and maintenance of the same as a humongous tasks, which not only require time and investment but also cooperation of the consumers and hence, there is no willful default or violation on part of the Petitioner. The reasons cited by the petitioner had already been considered by the Commission while delivering the Interim Order.

5. As the Petitioner has failed to give any other sufficient reason requiring review of Interim order by the Commission, the Review Petition falls short of requirement for a review and therefore it is dismissed.

6. Ordered accordingly.

Sd/-	*Sd/-*	*Sd/-*
(B. P. Singh)	(J. P. Singh)	(P. D. Sudhakar)
Member	Member	Chairperson