

DELHI ELECTRICITY REGULATORY COMMISSION
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi- 110 017

F.11 (1170)/DERC/2014-15

Petition No. 59/2014

Under section 142 of Electricity Act, 2003

In the matter of:

Charan Singh Maan
S/o Yashwant Singh,
Flat No. c2/2125 (2nd Floor) Vasant Kunj,
New Delhi – 110070

.....**Complainant**

Vs.

BSES Rajdhani Power Ltd.
Through its: **CEO**
BSES Bhawan
Nehru Place
New Delhi-110019

.....**Respondent**

Coram: Sh. B. P. Singh, Member.

Appearance:

1. Petitioner in person;
2. Shri Krishnandu Datta, Advocate for Respondent;
3. Shri Aruj Mathur, Legal Manager, BRPL;
4. Shri Surender Kumar, Legal Retainer, BRPL.
5. Shri Manish Srivastava, Advocate for Respondent;
6. Shri Shagun Trisal, Advocate for Respondent.

INTERIM ORDER

(Date of Hearing: 30.11.2017)

(Date of Order: 06.12.2017)

1. The instant petition has been filed by Shri Charan Singh Maan, under Section 142 of the Electricity Act, 2003 against BSES Rajdhani Power Ltd. for violation of the procedure as laid down in Regulations of the Delhi Electricity Regulatory Supply Code and Performance Standards Regulations, 2007.
2. The matter was heard on 30.11.2017. The Counsel for the Respondent raised objection that the consumer has filed the present complaint after a period of more than 10 years, and hence, the same is not maintainable.
3. On the violations as alleged in the Show Cause notice, the Counsel for the Respondent reiterated its submissions made in the reply to the Show Cause notice. However, on the issue of consumption pattern, the Counsel for the

Respondent submitted that the consumption patterns for the period 15.10.2003 to 25.10.2004 shows an average recorded consumption of 134 units per month, which has been found 22.29% of the assessed consumption, based on seasonal loads.

4. The Petitioner submitted that the flat was lying vacant since 2002. The keys were in the possession of his neighbour. The factum of his staying away from the flat has been amply proved in the form of photographs taken from the Respondent's officials with the help of his neighbour who allowed them to access his flat.
5. The Petitioner was thereafter directed to produce evidence confirming his statement that he was out of station at the material time and by a sworn affidavit justify that the flat was lying vacant within two weeks with a copy to the Respondent.
6. The next date of hearing shall be intimated to the parties in due course.
7. Ordered accordingly.

Sd/-
(B. P. Singh)
Member