

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

No. F. 11(808)/DERC/2012-13/3455

**Petition No. 20/2012**

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

**In the matter of:**

S K Maheshwari  
17, F.I.E Patparganj Industrial Area  
Opp. Hasanpur Depot  
Delhi-110092

**...Petitioner**

**Versus**

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

**...Respondent**

**Coram:**

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

**Appearance:**

1. Petitioner in person with Sh. V.V. Sharma and Sh. Amit Singh;
2. Sh. Manish Srivastava, Counsel for the Respondent;
3. Sh. D. Shirish Varma, BSES Yamuna Power Ltd;
4. Ms. Ishani Chandra, Retainer, BYPL.

**INTERIM ORDER**

(Date of Hearing: 17.10.2013)

(Date of Order: 25.10.2013)

1. The above matter was listed for hearing today in the Commission.
2. The Commission vide its order dated 01.02.2013 had imposed a penalty of Rs. 90,000/- to be deposited with the Commission within one month from the date of its order. The Commission had further directed the respondent to file reply on the following issues within two weeks:
  - (i) Reply to the application filed by the complainant under Section 340 of Cr.PC.

- (ii) Whether BSES Yamuna Power Limited is fully equipped to rectify the defect in the AMR system?
  - (iii) Why the Respondent has failed to keep AMR system technically function and failed to rectify the defects occurring repeatedly even after one year of filing of above complaint on 23.11.2011?
3. The Commission expressed its strong displeasure of the fact that the order of the Commission dated 01.02.2013 was not complied with and the amount of penalty has not been paid till date. Moreover, the replies to the queries raised by the Commission have also not been submitted so far.
  4. The counsel for Respondent expressed his regrets to the Commission and stated that due to change of guard in the company, the order of the Commission has not been complied with and asked for a week's time to comply with directions. The counsel for Respondent also pointed out that a review petition on the imposition of penalty has been filed before the Commission.
  5. The Commission observed that the Review Petition was filed after the due date for payment of penalty had expired and hence this could not be a plea for not making payment. The Commission directed the Respondent to deposit the amount of penalty of Rs. 90,000/- within 15 days positively. The Respondent was also directed to file replies to the queries raised by the Commission within the same 15 days time.
  6. The next date of hearing shall be intimated to the parties in due course.
  7. Ordered accordingly.

Sd/-  
(J. P. Singh)  
Member

Sd/-  
(P. D. Sudhakar)  
Chairperson