

Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi –110 017

Ref. F.11 (528)/DERC/2009-10/C.F.No.2248

Petition No. 33/2012

In the matter of: Complaint under Section 142 of the Electricity Act, 2003.
AND

In the matter of :
Jagmohan Singh
Bawa Enterprises
G-6, Lawrence Road Industrial Area
Delhi-110035

...Complainant

VERSUS

M/s Tata Power Delhi Distribution Limited
Through its : **CEO**
Hudson Lines, Kingsway Camp
Delhi-110009

...Respondent

Appearance:

1. Shri S B Pandey, Counsel for the Petitioner.
2. Shri K Dutta, Advocate for the Respondent.
3. Shri Manish Srivastava, Advocate for the Respondent.
4. Shri O P Singh, Sr. Manager, TPDDL.
5. Shri Shelendra Singh, Sr. Manager, TPDDL.
6. Ms. Sarika Mehta, AM, TPDDL.

Coram:

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

ORDER

(Date of Hearing: 14.03.2013)

(Date of Order: 26.03.2013)

1. The present petition has been filed by Shri Jagmohan Singh against Tata Power Delhi Distribution Limited under section 142 of the Electricity Act, 2003 for violation of procedures laid down in DERC Supply Code and Performance Standards Regulations, 2007, while booking a DAE case in respect of his electricity K No. 32102129305.
2. The aforesaid complaint was forwarded to the CGRF-NDPL on 23.11.2009 to hear the complaint and decide the matter on merit.
3. In furtherance of the above, the CGRF passed its order on 05.06.2012 in the matter. The operative paragraph is reproduced as under:

"After listening both the parties, the Forum conclude that Respondent has made enforcement case (DAE) on the basis of inspection dated 28.12.2006 as the injection of high voltage AC/DC signal to the meter was found..... The Respondent has failed to pass speaking Order within 15 days as per Regulation 26 (iii) of DERC (Performance Standards-Metering & Billing) Regulations, 2002 and passing of the Speaking Order is still pending with the plea that 3rd party validation is awaited from ERDA whereas as per DERC (Performance Standards – Metering & Billing) Regulations-2002 there is no provision of 3rd party validation which is substantive delay and deficiency on the part of the Respondent in handling the DAE case."

4. On the basis of the findings given by the CGRF in its Order dated 05.06.2012, show-cause notice was issued to the Respondent on 19.07.2012.
5. In response to the above show cause notice, the Respondent filed its reply on 06.11.2012 and the matter was listed for hearing on 31.01.2013. On 31.01.2013, the Counsel for the Petitioner could not appear in time and the matter was again listed for hearing on 14.03.2013.
6. On 14.03.2013, the Counsel who appeared on behalf of Petitioner filed an application for withdrawal of the instant petition. It has been stated in the application that the grievance of the petitioner has already been resolved as the Respondent has withdrawn the DAE case against the Petitioner. It has also been stated in the application that the Petitioner may be allowed to withdraw the petition.
7. In view of the above, the Commission decides to dispose-off the present petition as withdrawn.
8. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON