

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

Petition No. 21/2006

Jhalani Co-ownership
K. No. 31200453041
6, Ram Chander Lane
Civil Lines
Delhi.

....Complainant

Through: Shri V.K. Goel, Advocate
Ch. No. 749, W.W. Tis Hazari, Delhi.

VERSUS

North Delhi Power Ltd.
Through its: **CEO**
Grid Sub- Station Building,
Hudson Lines, Kingsway Camp,
Delhi-110009.

...Respondent

Petition No. 42/2006

Jhalani Co-ownership-I
K. No. 31200454502
6, Ram Chander Lane
Civil Lines
Delhi.

....Complainant

Through: Shri V.K. Goel, Advocate
Ch. No. 749, W.W. Tis Hazari, Delhi.

VERSUS

North Delhi Power Ltd.
Through its: **CEO**
Grid Sub- Station Building,
Hudson Lines, Kingsway Camp,
Delhi-110009.

...Respondent

Petition No. 43/2006

Jhalani Co-ownership-II
K. No. 31200453044
6, Ram Chander Lane
Civil Lines
Delhi.

....Complainant

Through: Shri V.K. Goel, Advocate
Ch. No. 749, W.W. Tis Hazari, Delhi.

VERSUS

North Delhi Power Ltd.
Through its: **CEO**
Grid Sub- Station Building,
Hudson Lines, Kingsway Camp,
Delhi-110009.

...Respondent

Coram:

**Sh. Berjinder Singh, Chairman, Sh. K. Venugopal, Member &
Sh. R. Krishnamoorthy, Member.**

Appearance:

1. Sh. V. K. Goel, Advocate, on behalf of the Complainant.
2. Sh. A. K. Chandhok, HOD Coml. NDPL.

ORDER

(Date of Hearing: 08.03.2007)

(Date of Order: 28.03.2007)

1. The three complaints filed before the Commission are similar in nature, therefore, they are dealt in this common Order.
2. The Complainant states that for all three connections, he was a registered consumer and the connections were used for domestic purpose. It is stated by the Complainant that the connections were disconnected somewhere in 1985-86 and at that moment there were no outstanding dues. In December, 2005, the Licensee raised a demand note of an amount of outstanding dues against these three connections with a proposition to avail the Late Payment Surcharge waiver in terms of the scheme introduced by the Licensee. The Complainant has made a complaint that these bills have been raised for a connection after 20 years of disconnection of supply and, as such, they are violative of the Regulations and the provisions of the Act. The Complainant seeks an order for quashing the illegal demand.
3. Sh. V. K. Goel, Advocate, appearing on behalf of the Petitioner, has submitted that the Licensee is trying to make the consumer pay a sum on which his legal right to recover money is barred by limitation.
4. Sh. A. K. Chandhok, HOD, appearing on behalf of the Respondent Licensee submits that as per their record all three connections were disconnected in the year 1994-95 for non-payment of outstanding dues. It is further stated that when the Late Payment Surcharge Waiver Scheme was introduced by the Licensee, similar notes were issued to all previous consumers, where outstanding dues were recoverable. This was done for affording all consumers an opportunity to avail the benefit of the scheme and revive their dormant connection, if any. The Complainant was issued notices with the details of the outstanding

dues alongwith the amount of LPSC so that the Complainant could revive their old connections by paying the previous outstanding dues. Sh. Chandhok also submits that so far no legal process has been initiated for recovering the outstanding dues on the said connections as these connections were disconnected during the DVB time.

5. The parties have been heard. It appears from the arguments of the Licensee that they have not initiated any process for recovery of the amount as contested by the Complainant. As per the submission of the Licensee, the statement issued to the consumer was only with regard to the amount outstanding and the introduction of LPSC Waiver Scheme as introduced by the Licensee.
6. The Commission is of the opinion that whenever the Licensee wants to recover the outstanding amount, it has to take appropriate recourse of law for recovering of such amount. At this juncture, the Commission feels that there has been no violation of any provision of the Act or the Regulations. The Complainant seems to be presumptuous in moving this complaint at this stage and this complaint does not merit any consideration. In view of the above, all three complaints are dismissed with no cost.
7. Ordered accordingly.

Sd/-
(K. Venugopal)
MEMBER

Sd/-
(R. Krishnamoorthy)
MEMBER

Sd/-
(Berjinder Singh)
CHAIRMAN