

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

Ref: F7(25)/DERC/2006-07/

**In the matter of:**

Sh. Kishan Prasad,  
A-1/179, Nand Nagari,  
New Delhi-110093.

.....**Complainant**

Through: Shri Lal Bahadur Pandey, Advocate,  
103, Near Shri Hanuman Mandir,  
West Karawal Nagar, Delhi - 94.

**VERSUS**

BSES Yamuna Power Ltd.  
Through its: **CEO**  
Shakti Kiran Building,  
Karkardooma,  
Delhi-110092.

.....**Respondent**

**Coram:**

**Sh. K. Venugopal, Member & Sh. R. Krishnamoorthy, Member.**

Appearance:

1. Mr. Rajeev Ranjan, Sr. Officer (Legal)
2. Mr. Hemant Gupta, Advocate, BYPL.
3. Mr. Ravinder Singh Bisht, Asstt. Gr. III, BYPL
4. Mr. G. Kalyansundaram, Sr. Manager(Com.)
5. Mr. Kishan Prasad, Complainant
6. Mr. R. B. Pandey, Advocate for Complainant

**ORDER**

(Date of Hearing: 07.12.2006)  
(Date of Order: 21.12.2006)

- 1) A letter was received from Sh. Kishan Prasad which was treated as a complaint but the said letter did not reveal the specific issues to be redressed by the Commission. However, a show-cause notice was issued to the Respondent for their comments.
- 2) The reply has been received from the Respondent wherein, they have raised some preliminary objections and submitted that this Commission has no jurisdiction to entertain the present complaint as the same stands adjudicated through various fora.
- 3) They have further submitted that the Complainant has indulged in forum hunting and this complaint deserves to be dismissed on the principle of res-judicata.

- 4) The matter was earlier listed for hearing on 28.11.2006. Both the parties were present but the Complainant sought adjournment on the ground that he could not contact his lawyer or inform him about the date of hearing. The matter was accordingly adjourned for 07 December, 2006 on the request of the Complainant.
- 5) Both the parties are present before the Commission. The Learned Counsel for the Complainant Sh. R. B. Pandey could not specifically bring out the grievances for whose redressal he has approached this Commission. The Complaint also does not reveal any specific issue where the Commission can intervene at this stage. Moreover, the present complaint is also not in-consonance with the DERC Comprehensive (Conduct of Business) Regulations, 2001.
- 6) The Commission has observed that the present complaint neither reveals any cause of action nor makes the stand of the Complainant clear. He has not alleged violation of any specific provision of the Electricity Act, 2003, Regulations or any direction issued by this Commission. It has been further observed that the Complainant has already approached the District Consumer Forum, State Consumer Commission and the National Consumer Commission and his application stands disposed of by the said Forum/Commissions. Accordingly, the present complaint is dismissed. However, the Complainant is at liberty to approach this Commission complying with the filing procedure of the DERC and indicating the specific issues where intervention of this Commission under Section 142 of the Electricity Act, 2003 is solicited. The Regulation 15 of the DERC Comprehensive (Conduct of Business) Regulations, 2001 deals with the procedure of filing the complaints before the Commission.
- 7) The complaint is disposed of accordingly.

Sd/-  
(K. Venugopal)  
MEMBER

Sd/-  
(R. Krishnamoorthy)  
MEMBER