

Delhi Electricity Regulatory Commission

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

Ref. F.11(840)/DERC/2012-13/C.F.No. 3612/ 6346

Petition No. 39/2012

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

Smt. Komal Srivastva
H.No.7 Ekta Apartment
Geeta Colony
Delhi-110031

...Complainant

VERSUS

M/s BSES Yamuna Power Limited
Through its : **CEO**
Shakti Kiran Building
Karkardooma
Delhi-110032

...Respondent

Appearance:

1. None for Petitioner.
2. Shri Manish Srivastava, Counsel for the Respondent
3. Shri Mukesh Sharma, Asstt. Manager, BSES-Yamuna Power Ltd.

Coram:

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

ORDER

(Date of Hearing : 28.02.2013)

(Date of Order: 08.03.2013)

1. The present petition has been filed by Smt. Komal Srivastva against BSES Yamuna Power Limited under section 142 of the Electricity Act, 2003 for violation of provisions of Delhi Electricity Supply Code & Performance Standards Regulations, 2007 and the Electricity Act, 2003.

2. Notice of the petition was issued to the respondent on 03.09.2012 to file its reply.
3. The matter was listed for hearing in the Commission on 28.02.2013. However, complainant-Smt. Komal Srivastava has sent an email stating that the above matter has been settled amicably between the parties on 09.02.2013 before the Judge, Lok Adalat and has requested the Commission to dispose-off the matter as withdrawn.
4. On 21.02.2013, the Commission has received a letter from the respondent enclosing therewith an affidavit duly signed by the Sr. Manager, BSES Yamuna Power Ltd., stating that the petitioner has already settled the matter amicably with them on 09.02.2013 before the Judge, Lok Adalat.
5. The Respondent has also filed a copy of order dated 09.02.2013 wherein the complainant has settled the aforesaid case with them and as per said order, the complainant was to withdraw all cases pending in any court of law in respect of the settled bill. The relevant paragraph is reproduced is as under:

“(iii) it is agreed that in view of the settlement arrived at, consumer shall not file any proceeding against BSES in respect of the present bill and withdraw all cases pending in any court of law in respect of settled bill nor BSES shall file any criminal complaint under Electricity Act, 2003 as amended in 2007 /withdraw the complaint if already filed before the Special Court of Electricity on receiving entire payment of settlement”.

6. In view of the facts stated above, the Commission decided to dispose-off the above petition considered as withdrawn.
7. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON