

Delhi Electricity Regulatory Commission

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

F.11 (592)/DERC/2010-11/C.F.No. 2541/5484

Petition No. 45/2010

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

AND

In the matter of :

Malti Devi
E-352, G/F, New Shanti Marg,
Mandawali, Fazalpur,
Delhi-110092.

...Complainant

VERSUS

BSESYamuna Power Limited
Through its : CEO
Shakti Kiran Bulding,
Karkardooma,
Delhi .

....Respondent

Coram:

Sh. Shyam Wadhera, Member & Sh. J. P. Singh, Member.

Appearance:

1. Sh. Manish Srivastava, Advocate, BYPL;
2. Sh. P.K. Mahur, Officer Legal, BYPL.

ORDER

(Date of Hearing: 13.12.2011)

(Date of Order: 27.12.2011)

1. Complainant Smt. Malti Devi R/o E-352, G/F, New Shanti Marg, Mandawali, Fazalpur, Delhi-92 and registered consumer of Respondent having K.No. 1230O2221444 has filed this complaint under section 142 stating that the DAE case booked against the complainant is in violation of Regulation 52 & 53 of the Supply Code.

2. Brief facts of the case are that on 02.02.2010, the representative of Respondent came to change his meter on the basis of the complaint made by the consumer for burnt meter.
3. After changing the above meter, the Respondent issued a show cause notice on 26.02.2010 along with a bill of Rs. 15,640/- against booking of a case of DAE, wherein, the consumer was asked to attend the personal hearing on 21.04.2010, which has claimed to be attended by the consumer. However, the Respondent issued an ex-parte order on dated 11.05.2010, raising therein a bill for an amount of Rs. 1.06 lakh against the energy loss under section 135 of Electricity Act, 2003.
4. The consumer has alleged that while booking the above case, the Respondent has violated the provisions of Regulation 52 and 53 of Supply Code.
5. The Respondent, in addition to its Para wise reply, filed in the Commission on dated 19.08.2010, has also filed an affidavit on Oath on 29.09.2011 stating therein that during the pendency of this case, the aforesaid matter had been settled amicably between petitioner and respondent company in December, 2010 and the complainant has also paid full payment as per settlement and no dispute remains in between both parties.
6. In pursuant to the above, Commission issued a letter on 07.10.2011 to the complainant seeking confirmation from him on the above settlement and gave 15 days time to reply.

7. The complainant was also informed through the letter that in absence of his reply, it will be presumed that he is no more interested to press his prayer /grievance and the said complaint shall be treated as amicably settled and withdrawn.
8. In response to the above, the petitioner through his counsel has filed an application for withdrawal of his above complaint.
9. Since, the Respondent has requested for withdrawal of the above complaint on the ground of being amicably settled, therefore, in view of the above, the present petition is disposed off as considered, amicably settled and withdrawn.
10. Ordered accordingly.

Sd/-
(J. P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER