

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi- 110 017

F.11 (1379)/DERC/2015-16

Petition No. 23/2016

Under section 142 of the Electricity Act, 2003

In the matter of:

Smt. Meena Rawat,
A-2, First Floor, Old Double Storey,
Nirmal Puri, Lajpat Nagar-IV,
New Delhi – 110024

.....**Complainant**

VERSUS

BSES Rajdhani Power Ltd.
Through its: **CEO**
BSES Bhawan
Nehru Place
New Delhi-110019

.....**Respondent**

Coram:

Sh. B.P. Singh, Member

Appearance:

1. Shri NK Nagar, Advocate for the Petitioner;
2. Shri Arav Kapoor, Advocate for Respondent;
3. Shri Puneeth K. G, Advocate for the Respondent, BRPL;
4. Shri S. Bhattacharya, DGM Enforcement, BRPL.

ORDER

(Date of Hearing: 08.12.2016)

(Date of Order: 13.12.2016)

1. The instant petition has been filed by Smt. Meena Rawat, under Section 142 of the Electricity Act, 2003 against BSES Rajdhani Power Ltd. for violation of the procedure laid down in the Delhi Electricity Supply Code and Performance Standards Regulations, 2007.

2. The matter was listed for hearing in the Commission, wherein both the parties were present. During the hearing the counsel for the Respondent contended that the present Petition is not maintainable since the Petitioner has entered into a settlement with the Respondent, which has also been executed. As per the terms of settlement both the parties have to withdraw all the litigations pending in various courts of law/fora and therefore, the Respondent has not filed the case before the Special Court of Electricity. He further submitted that as per the terms of settlement the Petitioner may not prefer the instant Petition. Accordingly, the present Petition is not maintainable.
3. The counsel for the Petitioner submitted that he has entered into a settlement under protest because he is posted in far-flung area in Manipur and thus had no option but to settle the matter.
4. The Commission observed that as per the terms of settlement, the Petitioner is required to withdraw the instant Petition and thus the present Petition is not maintainable. However, keeping in view the nature and seriousness of violations, the Commission takes suo motu cognizance of the violations and directed that fresh notice be issued in the matter.
5. Thus, the present petition is disposed off. Ordered accordingly.

Sd/-
(B. P. Singh)
Member