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

In the matter of: Petition filed under section 142 of the Electricity Act, 2003
And
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. Krishna Saini, Chairperson & Sh. B.P. Singh, Member

Appearance:

1. Petitioner in person
2. Shri NK Nagar, Advocate for the Petitioner;
3. Shri Devender Singh Rawat, along with the Petitioner;
4. Shri S. Bhattacharya, DGM Enforcement, BRPL;

INTERIM ORDER

(Date of Hearing: 19.05.2016)
(Date of Order: 13.06.2016)

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 today, which was attended by the Counsel/authorized representatives of both the parties. The counsel appearing on behalf of the Respondent contended that the present Petition is not maintainable since both the parties have entered into a settlement, hence, the Petition filed in DERC is to be withdrawn by the Petitioner. The Petitioner narrated the incidents leading to the filing of present complaint. The counsel appearing on behalf of the Petitioner submitted that the Petitioner had made payment under threat and distress since electricity connection was being disconnected and he was posted to a remote place in Manipur. His children are studying and electricity is a necessity.

3. The counsel for the Respondent rebutted that there was no evidence to justify that the payment was made under protest or without prejudice to his rights to pursue any case in DERC.

4. The Commission directed the parties to file their written submissions about maintainability of the case within two weeks. The matter was adjourned.

5. The next date of hearing shall be intimated to the parties in due course.

6. Ordered accordingly.

Sd/-
(B. P. Singh)
Member

Sd/-
(Krishna Saini)
Chairperson