Delhi Electricity Regulatory Commission

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

F.11(587)/DERC/2010-11/C.F.No. 2579/5716

Petition No. 44/2010

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

AND

In the matter of:

Mohd. Abbas
1092, G/F, Gali Gopalwali,
Farash Khana,
Delhi – 110 006. **…Petitioner**

VERSUS

BSES Yamuna Power Limited
Through its : CEO
Shakti Kiran Building,
Karkardooma,
Delhi-110 092. **...Respondent**

Coram:

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

Appearance:

1. Sh. P.K. Mahur, Officer (Legal), BYPL;
2. Sh. Sita Ram, DGM, BYPL;
3. Sh. K. Datta, Advocate (BYPL).

ORDER

Date of Hearing: 29.11.2011
(Date of Order: 11.01.2012)

1. The instant complaint has been filed by Mohd. Abbas R/o 1092, G/F, Gali Gopalwali, Farash Khana, Delhi-06 who is the registered Petitioner of BYPL having K.No. 111015380278 against the Respondent company under section 142 of the Electricity Act, 2003.

2. The brief matrix of the case is that on 31.10.2009, the meter of the petitioner was changed. On 10.02.2010, the premises of the petitioner was checked (routine checking). On 20.04.2010, a show cause notice dated 02.03.2010 was received by the Petitioner for Dishonest Abstraction of Energy (DAE). Thereafter, the Petitioner went to the BYPL office on 21.04.2010 seeking time for reply, but he was not granted the same. On 09.05.2010, the Petitioner received an ex-party order regarding DAE with an assessed bill of Rs. 1.77 lakh.

3. The Petitioner has alleged that while booking a case of DAE the Respondent has violated Regulations 52 & 53 of Supply Code Regulations, 2007 on the ground that the inspection report was not prepared at the site which is the violation of Regulation 52(ix) of Supply Code 2007. No physical evidence relating to meter tampering was found.

4. The Respondent was asked to file a reply to the above allegations of the Petitioner. However, in addition to filing its para wise reply the Respondent has also filed an affidavit on Oath on dated 29.09.2011 stating that the aforesaid matter had already been amicably settled between petitioner and respondent company in January, 2011 and the Petitioner has also paid full payment as per settlement and no dispute remains in between both parties.

5. In pursuance of the above affidavit, Commission issued a letter to the Petitioner for seeking confirmation from him on the above statement of the Respondent and gave 15 days time to file a reply. This letter was issued on 07.10.2011 but no response has been received from the Petitioner.

6. The Petitioner was also informed through this letter that in the absence of non-submission of confirmation, 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.

7. The Commission conducted the hearing in the above matter on 29.11.2011 which was attended by the above officer of the Respondent. However, no one appeared on behalf of the Petitioner. Since, the Petitioner has neither responded to the above letter nor attended the hearing, therefore, in light of the above the Commission decide to dispose off the above complaint as considered and amicably settled.

8. Ordered accordingly.

Sd/-	Sd/-	Sd/-
(J. P. Singh)	(Shyam Wadhera)	(P. D. Sudhakar)
MEMBER	MEMBER	CHAIRPERSON