Delhi Electricity Regulatory Commission

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

F.11(594)/DERC/2010-11/C.F.No. 2539/5592

Petition No. 61/2010

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

AND

In the matter of :

Mohd. Irfan
S/o Sh. Noor Mohammed
H.No. 1801, F/F,
Kalan Mahal,
Darya Ganj
Delhi-110002. **…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: 04.01.2012)

1. The instant complaint has been filed by Sh. Mohd. Irfan R/o 1801, F/F, Kalan Mahal, Darya Ganj, New Delhi-110002, who is the registered consumer of BYPL having K.No. 112023080768 against the Respondent company under Section 142 of the Electricity Act, 2003.

2. The brief matrix of the case is that the complainant received a disconnection notice dated 01.06.2010 from the Respondent in

respect of a provisional bill of Rs. 85,563/- against booking of a case of direct theft in pursuant to an alleged inspection carried out on 24.11.2009 of his premises.

3. The consumer is claming that no inspection was carried out on the said date and that he has a valid electricity connection for which he has been paying regularly.

4. The consumer has alleged that DAE case booked against him is in violation of Regulation 52 & 53 of Supply Code Regulations, 2007, as no photographs have been provided to him by the Respondent.

5. In the inspection report, Respondent has stated that the consumer was indulging in direct theft of electricity. However, they could not get enough photographs from the site for the purpose of evidence including removal of illegal PVC cable used for extracting the energy due to obstruction by a public mob. However, a connected load of 2.5 KW was assessed from the site.

6. The Respondent, in addition to filing its para wise reply has also filed an affidavit on Oath on dated 29.09.2011 stating that during the pendency of this case, the aforesaid matter had been amicably settled between both parties i.e. petitioner and respondent company, in December, 2010 and the complainant has also made full payment as per settlement and no dispute remains in between both parties.

7. In pursuance of the above, affidavit, Commission issued a letter to the complainant seeking confirmation from him on the above settlement as stated by Respondent and gave 15 days time to reply from the receipt of letter. The letter was issued on 07.10.2011.

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 stated to have been 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