

# **Delhi Electricity Regulatory Commission**

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

No. F.11(606)/DERC/2010-11/C.F.No.2569/6567

## **Petition No.47/2010**

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

AND

**In the matter of:**

Mohd. Parvez  
2787, G/F, Gali Gariya,  
Kucha Chellan,  
Darya Ganj,  
New Delhi.

....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, Asstt. V.P, Enforcement, BYPL;
3. Sh. Krishnendu Datta, Advocate, BYPL;
4. Mohd. Parvez, Complainant.

## **ORDER**

Date of Hearing: 21.02.2012  
(Date of Order: 28.02.2012)

1. The instant petition has been filed by Mohd. Parvez, R/o H.No. 2787,  
G/F, Gali Gariya, Kucha Chellan, Darya Ganj, Delhi having K.No.

112021190390 for non domestic purpose with 1 KW sanctioned load. He has filed this complaint under section 142 stating that while booking the DAE case against the complainant, the Respondent has violated Regulation 52 & 53 of the Supply Code and sought quashing of the same.

2. The brief matrix of the case is that on 22.12.2009, the officials of the Respondent came to the premises for changing the meter on the basis of the complaint made by the petitioner. On 19.01.2010 the petitioner received a show cause notice for DAE against the changed meter bearing no. 23321552 along with inspection report, load report etc. and the petitioner was directed to attend the personal hearing on 03.03.2010 at the Respondent Enforcement Office, Patpar Ganj, Delhi. On 03.03.2010, the petitioner went to the office of the Respondent to attend the personal hearing and also filing reply of the Show cause notice, wherein the petitioner denied all the allegations of the DAE made against him. The petitioner received a Speaking order dated 09.03.2010, along with DAE bill of Rs. 23,484/-/- with due date 01.04.2010. The petitioner has alleged that while framing above case the provisions of Regulation 52 and 53 of Supply Code have been violated.
3. However, the Respondent in addition to filing of its para wise reply on dated 19.08.2011, has also filed an affidavit dated 29.09.2011, stating that in the pendency of this case in the Commission, the aforesaid matter had been amicably settled between both parties i.e. petitioner and respondent company, in December, 2010 and

the petitioner has paid full payment as per settlement and no dispute remains in between both parties.

4. In pursuant to the above, affidavit and withdrawal letter forwarded by the Respondent, the Commission sought confirmation from the petitioner by sending copies of all documents submitted by the Respondent on the statement made there under and gave 15 days time to file reply. The letter was issued on 07.10.2011.
5. In response to the above, the petitioner instead of filing separate reply has filed the copy of the current adjustment bill, having Diary No. 8761, stating on the face of it that as their case has been settled with Respondent on 08.02.2011 therefore, the above complaint may be treated as settled.
6. Further, the Respondent has also placed on record the withdrawal application dt. 29.11.2011, duly signed by his counsel, requesting therein withdrawal of the above complaint.
7. Since, both parties have requested for withdrawal of the above complaint, therefore, the present complaint is disposed off as considered, amicably settled and withdrawn.
8. Ordered accordingly.

Sd/-  
(J.P. Singh)  
MEMBER

Sd/-  
(Shyam Wadhera)  
MEMBER

Sd/-  
(P.D. Sudhakar)  
CHAIRPERSON