

Delhi Electricity Regulatory Commission

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

No. F.11(597)/DERC/2010-11/C.F.No.2537/6445

Petition No.55/2010

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

AND

In the matter of:

Sh. Om Prakash
A-190, Aruna Park,
Shakarpur,
Delhi-110 092.

....Complainant

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. Sita Ram, DGM, BYPL
2. Sh. Manish Srivastava, Advocate BYPL

ORDER

Date of Hearing: 14.02.2012
(Date of Order: 22.02.2012)

1. The instant complaint has been filed by Sh. Om Parkash, R/o A-190, Aruna Park Nagar, Shakarpur, Delhi-110092, who is having electricity connection K.No. 1230O2140553 for domestic purpose with 0.25 KW sanctioned load. This complaint has been filed under section 142 of

Electricity Act, 2003 stating that while booking the DAE case against the complainant, the Respondent has violated Regulations 52 & 53 of the Supply Code 2007 and sought quashing of the same.

2. The brief matrix of the case is that on 19.10.2009, the officials of the Respondent came to the premises of the complainant for changing the meter on the request of the petitioner and after changing the meter the officials left the premises. On 28.01.2010, the officials of the Respondent again came for routine check-up of the meter and checked the connected load and left the premises without saying anything. On 20.03.2010 the petitioner received a show cause notice dated 18.02.2010 for DAE and the petitioner was directed to attend the personal hearing on 26.03.2010 at Respondent Enforcement Office, Patpar Ganj, Delhi on 26.03.2010, which was attended in time by the petitioner.
3. The petitioner received a Speaking order dated 30.04.2010 along with DAE bill of Rs. 50,262/- with due date 22 .05.2010. The petitioner is alleging that Regulation 52 and 53 of Supply Code have been violated by Respondent. As per the lab report dated 11.12.2009, all the seals of the meter found O.K. and LCD & LED found O.K. and meter accuracy found within limits.
4. However, the Respondent in addition to filing of its para wise reply on dated 07.04.2011, has also filed an affidavit dated 29.09.2011, stating that during 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 October, 2010 and the petitioner has paid full and final payment as per settlement and no dispute remains pending in between both parties.

5. 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. However, the Respondent has filed an application dated 29.11.2011 of the complainant in the Commission on 20.12.2011 which is signed by his counsel requesting therein withdrawal of the above complaint.
6. Since, the petitioner has requested for withdrawal of the above complaint stating to have been amicably settled, the Commission deems it fit to dispose off the above complaint as considered, amicably settled and withdrawn.
7. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON