

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

Petition No. 40/2006

In the matter of:

Pawan Gupta
2681-2, Beadonpura,
Karol Bagh,
New Delhi.

.....Complainant

Through: Shri V.K. Goel, Advocate,
Ch. No. 749, W.W. Tis Hazari, Delhi.

VERSUS

BSES Yamuna Power Ltd.
Through: its **CEO**
Shakti Kiran Building,
Karkardooma,
Delhi-110092.

.....Respondent

Coram:

**Sh. Berjinder Singh, Chairman, Sh. K. Venugopal, Member &
Sh. R. Krishnamoorthy, Member.**

Appearance:

1. Sh. V.K. Goel, Advocate on behalf of the Complainant.
2. Sh. Sunil Taneja, Complainant.
3. Sh. Hemant Gupta, Advocate on behalf of the Respondent.
4. Sh. R.R. Duggal, BYPL.
5. Sh. H.S. Soni, BYPL.
6. Sh. Naveen Kumar Sr. Officer (Legal)

ORDER

(Date of Hearing: 28.9.2006)

(Date of Order: 17.10.2006)

1. The Complainant and the Respondent have submitted a copy of the mutual settlement agreement executed on 20.9.2006 before Sh. Prem Kumar, Conciliator in terms of Arbitration and Conciliation Act, 1996.

2. The gist of the mutual settlement is as under:-

- i) That the Respondent has agreed to drop the DAE case against the Complainant and the Complainant has agreed to pay a sum of Rs.4,25,000/- in full and final settlement of all claims. The Respondent shall have no claims, whatsoever, against the Complainant.

- ii) That the petitioner (Complainant) has agreed to pay the aforesaid amount by demand draft/cheque on or before 30.9.2006.
- iii) That the Respondent has agreed to restore electricity on payment of the cost of meter and restoration charges. New Billing shall start after restoration of electricity.
- iv) That the Respondent and Complainant have agreed that in the event of any default on behalf of the Complainant, in complying with clause 2 of the settlement herein, the Respondent shall be entitled to recover the entire amount of Rs.7,49,021/- forthwith alongwith LPSC till the date of payment and other charges.
- v) That both the parties have agreed that any case(s) pending before any court/quasi judicial authority/any other authority in respect of aforesaid case shall be withdrawn. Further, no party shall file any case before any Court/quasi judicial authority/any other authority, in relation to aforesaid DAE case and bill for recovery/damages/any other purpose etc.

3. In view of the mutual settlement between the parties, the matter is treated as amicably resolved and the complaint is disposed of accordingly.

4. Ordered accordingly.

Sd/-
(K. Venugopal)
MEMBER

Sd/-
(R. Krishnamoorthy)
MEMBER

Sd/-
(Berjinder Singh)
CHAIRMAN