Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017

No. F.11 (1055)/DERC/2013-14

Petition No. 52/2013

In the matter of: Complaint filed under section 142 of Electricity Act, 2003

And

In the matter of:

Praveen Begum
W/o Late Sh. Israr-Ul-Haque
R/o DSIDC Shed, Shop no. 14
G-Block, Ground Floor,
New Seelampur, Shahdara
Delhi- 110053 **…….Complainant**

VERSUS

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

BSES Yamuna Power Ltd.
C-7, Near Jain Mandir
Yamuna Vihar
Delhi - 110053 **…….Respondent**

Coram:
Sh. P. D. Sudhakar, Chairperson, Sh. J.P. Singh, Member & Sh. B.P. Singh, Member

Appearance:

1. Shri Ateeq Ahmad, Counsel for the Petitioner.
2. Sh. Manish Srivastava, Advocate for Respondent;
3. Sh. Imran Siddiqi, Legal Officer, BYPL;
4. Sh. Sanjay Ray, Associate Advocate, BYPL

ORDER

(Date of Hearing: 04.12.2014)
(Date of Order: 18.12.2014)

1. The instant petition has been filed by Smt Praveen Begum against the Respondent Company under Section 142 of the Electricity Act, 2003 for non compliance of the Order of CGRF and therefore for violation of Regulation 11 of the Delhi Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievance of the Consumers and Ombudsman) Regulations, 2003.

2. In her petition, the Petitioner has submitted that following an inspection, the complainant received a notice regarding payment of outstanding dues of M/s Mehtab Metal Works situated in the same premises.

3. The respondent filed writ petition before the Hon'ble High Court of Delhi vide WP (c) no. 7335/2012. The Hon'ble High Court vide order dated 07.12.2012 disposed of the matter with a liberty to the complainant to approach the CGRF, BYPL.

4. Thereafter, the complainant filed a complaint before the CGRF, BYPL. Vide order dated 09.04.2013, The CGRF held that the complainant has to pay the dues of M/s Mehtab Metal Works also. At the same time, the CGRF directed the Respondent, BYPL to revise the bill of the complainant by waiving off dues of DVB period along with entire LPSC levied and thereafter raise reading bill till the date of disconnection.

5. In the instant Petition, the Petitioner has alleged that the respondent has not complied with the orders of CGRF and prayed before the Commission for directing the respondent to affix the meter and connect the electricity and to waive/delete the dues of M/s Mehtab Metal Works which were transferred to the bills of electricity connection of the Petitioner.

6. Notice of the petition was issued to the respondent on 16.12.2013 to file its reply.

7. In response to the above notice, the Respondent filed its reply, wherein they denied the allegations made in the petition and had requested to dismiss the petition because the Respondent as per the direction of CGRF has waived of the dues for the DVB period and that the current bill of the said connection is Rs. 64,697.74/- till meter reading dated 04.11.2013.

8. The matter was listed for hearing today i.e. on 04.12.2014, wherein both the parties were present. During the hearing, the Counsel on behalf of the Petitioner submitted that his main contention is that the orders of CGRF has not been complied with. The Counsel for the Respondent controverted it and stated that as per the directions of the CGRF, the

dues for the DVB period has been waived of and the bill was revised from Rs 2,07,460/- to Rs 64,697.74/-

9. The Counsel on behalf of the Petitioner said that the Respondent has not provided the details of the dues of M/S Mahtab Metal Works which they have to pay. Whereas, the Counsel for the Respondent submitted that in the compliance report to CGRF, every detail of the dues of M/S Mahtab Metal Works has been provided.

10. The Commission directed the Respondent to provide a copy of the compliance report to the Petitioner within two weeks, wherein details of assessment of dues of M/S Mahtab Metal Works have been reflected. In case the Petitioner is not satisfied with the information provided through the compliance report, she may approach, CGRF as the matter is basically a billing dispute for which CGRF is the right forum

11. With the aforesaid directions, the petition is disposed of, without being admitted.

12. Ordered accordingly.

Sd/-	*Sd/-*	*Sd/-*
(B. P. Singh)	(J. P. Singh)	(P. D. Sudhakar)
Member	Member	Chairperson