Delhi Electricity Regulatory Commission

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

F.11(1456)/DERC/2016-17/5637

Petition No. 04/2017

Under section 142 of the Electricity Act, 2003

In the matter of:

Shri R.K Dheer,
S/o Late Shri Lajpat Rai Dhir,
R/o D-236, Nirman Vihar,
Vikas Marg, Delhi – 110092 **…….Complainant**

VERSUS

BSES Yamuna Power Ltd.
Through its: **CEO**
Shakti Kiran Building,
Karkardooma
New Delhi – 110092 **……..Respondent**

Coram:

Sh. B.P. Singh, Member.

Appearance:

1. Shri Ajay Singh, Counsel for the Petitioner;
2. Ms Niharika Dhir, Counsel for the Petitioner;
3. Shri Prateek Singh Chaudhary, Counsel for the Petitioner;
4. Shri Krishnendu Datta, Advocate, BRPL
5. Shri Manish Srivastava, Advocate for Respondent.
6. Shri Arav Kapoor, Advocate for Respondent.
7. Shri Munish Nagpal, Sr. Manager, BYPL;
8. Shri I U Siddiqui, Legal Officer, BYPL.

INTERIM ORDER

(Date of Hearing: 27.04.2017)
(Date of Order: 03.05.2017)

1. The instant petition has been filed by filed by Shri R.K Dheer under Section 142 of the Electricity Act, 2003 against BSES Yamuna Power Ltd. for violation of the procedure as laid down in the Regulations of the Delhi Electricity Supply Code and Performance Standards Regulations, 2007.

2. In response to the preliminary notice, the Respondent filed its reply on 20.04.2017.

3. The matter was heard on 27.04.2017, which was attended by both the parties.

4. The Counsel for the Petitioner further submitted that the Respondent in its reply has mentioned that the Petitioner had refused to sign and accept the reports neither allowed it to be pasted at a conspicuous place in/outside the premises, whereas, no such thing happened because the Petitioner is an infirm person and therefore, the Respondent may be asked to provide a copy of the Videograph.

5. The Counsel for the Respondent raised the issue of maintainability of the Petition on the ground that the prayer sought for by the Petitioner is beyond the jurisdiction of the Commission and cannot be granted under Section 142 of the Electricity Act, 2003. The Counsel for the Petitioner sought permission of the Commission to file an application for amendment in the prayer clause of the Petition.

6. The Commission acceded to the request of the Petitioner and granted two week's time to the Petitioner to file application for amendment of the Petition with a copy to the Respondent. The Respondent is also directed to provide a copy of Videograph within two weeks thereafter. The matter was adjourned.

7. The next date of hearing shall be intimated to the parties in due course.

8. Ordered accordingly.

Sd/-
(B. P. Singh)
Member