



Delhi Electricity Regulatory Commission

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

F.11 2051)/DERC/2022-23

Petition No. 69/2022

Under Section 142 of the Electricity Act, 2003

In the matter of:

M/s Rays Power Experts Pvt. Ltd.

.....Petitioner

Versus

New Delhi Municipal Council

Through its: CEO

.....Respondent

Coram:

Hon'ble Shri Justice Shabihul Hasnain 'Shastri', Chairperson

Hon'ble Dr. A.K. Ambasht, Member

Appearance:

Shri Parinay deep Shah, Counsel for the Petitioner.

ORDER

(Date of Hearing: 06.12.2022)

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1. Heard Shri Parinay deep Shah, Counsel for the Petitioner. The Petitioner has made the following prayers:
 - a) Direct the Respondent, NDMC to clear the dues and interest owed to the Petitioner arising out of the invoices raised and the remaining portion of the subsidy received from the MNRE by NDMC, cumulatively amounting to Rs. 7,27,89,353/-.
 - b) Initiate appropriate proceeding under Section 142 of the Electricity Act, 2003 for non-compliance of direction issued by the Commission.
 - c) Pass any such order or direction as this Learned Commission may deems fit and proper in the interest of justice.
2. After hearing Shri Parinay deep Shah for some time, the Commission had put up a query to the Counsel of the Petitioner as to how the Petition is maintainable under Section 142 of the Electricity Act, 2003 and whether Section 142 will be an

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appropriate and effective remedy for the kind of grievance the Petitioner has raised in the Petition. It is also noteworthy that the Petitioner is already before the Hon'ble High Court of Delhi in this matter and the Petition is still pending. At this juncture, the Petitioner has submitted that he wants to withdraw the Petition with liberty to take appropriate steps by filing appropriate applications/petition before the appropriate forum.

3. The Petition is accordingly dismissed with the aforesaid liberty.

Sd/-
(Dr. A.K. Ambasht)
Member

Sd/-
(Justice Shabihul Hasnain 'Shastri')
Chairperson