

Delhi Electricity Regulatory Commission

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

F.11(589)/DERC/2010-11/C.F.No. 3135/5945

Petition No. 58/2010

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

AND

In the matter of:

Ms. Rekha Sharma
T-272/1, G/F,
Baljeet Nagar,
New Delhi.

...Petitioner

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. P.K. Mahur, Officer (Legal), BYPL;
2. Sh. Sita Ram, DGM, BYPL;

ORDER

Date of Hearing: 10.01.2012
(Date of Order: 23.01.2012)

1. The instant complaint has been filed by Ms. Rekha Sharma R/o T-272/1, G/F, Baljeet Nagar, New Delhi who is the registered consumer of BYPL having K.No. 114141810392 against the Respondent company under section 142 of the Electricity Act, 2003.

2. The brief matrix of the case is that on 28.10.2009, the official's of BYPL came to change the meter as the meter was not displaying reading. On 10.04.2010, the consumer received a show cause notice for DAE along with a bill of Rs. 22,181/-. The complainant has alleged that as the consumption pattern and the MDI before & after the change of meter remains the same, therefore, DAE case can not be booked against her. The consumer has further stated that she has been wrongly booked by the officials of the Respondent. The show cause notice states that the average consumption is found to be 43% of the normative consumption of the LDHF formula.
3. On the above, the Respondent was asked to file the para wise reply. Although, the Respondent has filed its para wise reply on 13.01.2011, it has also filed an affidavit on Oath on 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 August, 2010 and the complainant has made full payment as per settlement and no dispute remains in between both parties.
4. In pursuance of the above affidavit and withdrawal letter forwarded by the Respondent, which has been signed by the counsel of the complainant, the Commission sought confirmation from the petitioner, by sending copies of all documents submitted by the Respondent, and gave 15 days time to file reply. The letter was issued on 07.10.2011; however, the complainant failed to file any reply.
5. It is pertinent to mention that the complainant was also informed through the above letter that in absence of her reply, it will be presumed that she is no more interested to press her prayer /grievance and the said complaint shall be treated as amicably settled and withdrawn.

6. Since, the Respondent has requested to dispose off the above complaint in light of amicable settlement and subsequent request of the petitioner for withdrawal of the complaint through its counsel and since there is no reply/confirmation against the letter of the Commission, hence, the Commission decides 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