

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

F.11(1407)/DERC/2016-17/Part File

Petition No.38/2016

Under section 142 of the Electricity Act, 2003

In the matter of:

Shri Rominder Singh,
S/o Shri pritam Singh,
R/o BC-10-F-DDA Flat Munika,
New Delhi – 110067

.....**Complainant**

Vs.

BSES Rajdhani Power Ltd.
Through its: **CEO**
BSES Bhawan
Nehru Place
New Delhi-110019

.....**Respondent**

Coram: Sh. B.P. Singh, Member

Appearance:

1. Shri Arman Vidyarthi, Advocate for Respondent;
2. Shri Aruj Mathur, Manager Legal, BRPL;
3. Shri Surender Kumar, Legal Retainer, BRPL.

ORDER

(Date of Hearing: 30.11.2017)

(Date of Order: 06.12.2017)

1. The instant petition has been filed by Shri Rominder Singh, under Section 142 of the Electricity Act, 2003 against BSES Rajdhani Power Ltd. for violation of the procedure regarding booking of theft case as laid down in Regulations of the Delhi Electricity Supply Code and Performance Standards Regulations, 2007.
2. The matter was last heard on 13.04.2017, which was attended by the Respondent, however, no appearance was made from the Petitioner's side. The Counsel for the Respondent had sought dismissal of the Petition on the ground that the matter has been amicably settled between the parties before the Special Lok Adalat held in the Saket Court on 10.12.2016 and provided a copy of the settlement memo to the Commission. Since no withdrawal application was filed by the Petitioner after settlement of the matter, an opportunity was granted to the Petitioner to file a Status of Settlement within 15 days, before dismissing the Petition. The Judgement was reserved.
3. Subsequently, the Petitioner filed its written submission, and prayed that he may be allowed to present his facts on next date of hearing and further submitted that he was out of station on the last date of hearing i.e. on 13.04.2017, so could

not be present before the Commission; and that he had not settled the matter with the Respondent. He had paid a sum of Rs. 40000/- to the Respondent after oral direction of the Special Lok Adalat.

4. The matter was listed for hearing on 30.11.2017, which was attended by the Respondent, however, again no appearance was made from the Petitioner's side, neither any information was received.
5. On perusal of the Settlement Order dated 10.12.2016 of the Special Lok Adalat, it is observed that the Petitioner had agreed to deposit the amount of Rs. 40000/-, and it was further agreed that the consumer shall withdraw all cases pending in any Court of law.
6. Notwithstanding the fact that the Petitioner was not present in the Court at the time of hearing, a statement from the Respondent was made from the seat that the subject case has been resolved and they have come to some settlement. However, the record reveals that in terms of directions issued by the Special Lok Adalat the Petitioner had accepted the settlement procedure and paid the amount.
7. The Commission observed that the settlement deed reflects that the Petitioner had himself voluntarily accepted the terms and condition and agreed to withdraw all the pending cases connected to the subject matter before a judicial officer designated for this purpose. Accordingly, the Commission came to a conclusion that nothing survives thereafter and the matter deserves to be dismissed.
8. Keeping in view of the facts and circumstances of the case in its entirety, requires no further deliberations in the subject case, hence dismissed.
9. Ordered accordingly.

Sd/-
(B. P. Singh)
Member