



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

F.11(1866)/DERC/2021-22

Petition No. 36/2021

Under section 142 of the Electricity Act, 2003

In the matter of:
Ms. Satinder Kaur

.....**Petitioner**

VERSUS

Tata Power Delhi Distribution Ltd.
Through its: M.D

.....**Respondent**

Coram:
Hon'ble Sh. Justice Shabihul Hasnain 'Shastri', Chairperson
Hon'ble Sh. A.K. Ambasht, Member

Appearance:
Shri Parveen Yadav, Counsel for the Petitioner
Shri Akhil Hasija, Counsel for the Respondent

INTERIM ORDER

(Date of Hearing: 26.08.2021)
(Date of Order: 26.08.2021)

1. Heard Shri Parveen Yadav, Counsel for the Petitioner as well as Shri Akhil Hasija, Counsel for the Respondent. At the very outset, Shri Akhil Hasija has informed that there has been a settlement between the Petitioner and the Opposite party, before the Permanent Lok Adalat. He has further submitted that copy of the Settlement has already been provided and is available in the office records. Shri Hasija has further pointed out towards clause 5 of the settlement wherein the Petitioner has agreed that he will withdraw all the Petitions wherever they may be, in view of the settlement. On the strength of this settlement, Shri Hasija has submitted that no further arguments are required in this case.
2. Shri Parveen Yadav on the other hand, has denied any such settlement having been arrived at between the parties. He has further submitted that though the Bill of the Petitioner was corrected and instalments were allowed to her in the office of the opposite party but no assurance was ever given, that the matter will be withdrawn from the DERC. He has also submitted that he is challenging the validity of the assessment bill. He has further submitted that the aforesaid bill

WEAR FACE MASK

WASH HANDS REGULARLY

MAINTAIN SOCIAL DISTANCING

contains a number of charges like the fixed charges, electricity tax, fuel price adj. surcharge, 8% deficit surcharge & pension trust surcharge. However, we do not find any such challenge in the Petition in any of the paragraphs. No foundation has been laid before making the arguments, testing the validity of these charges. The argument of the Petitioner on this count appears to be misconceived and misplaced. However, on his request one more date is allowed to him to enquire from his client as to whether she had appeared in the Permanent Lok Adalat and given the undertaking of withdrawal of all the cases. At the same time, Mr. Parveen Yadav should also remember that it is primary duty of the Counsel to get the correct facts from his client and any miscommunication between the client and the lawyer cannot be a defense for arguing before a court of law. Only for this limited purpose, list this case on 23.09.2021.

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

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