

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

F.11 (1610)/DERC/2018-19

**Petition No. 39/2018**

Under section 142 of the Electricity Act, 2003

**In the matter of:**

**Som Parkash Yadav**

.....**Petitioner**

**VERSUS**

**BSES Rajdhani Power Ltd.**

**Through its: CEO**

.....**Respondent**

**Coram:**

**Hon'ble Sh. Justice Shabihul Hasnain 'Shastri', Chairperson**

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

**Appearance:**

Shri Manish Kumar Srivastava, Advocate for the Respondent

**ORDER**

(Date of Hearing: 10.11.2022)

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1. The case has been called out. The Petitioner is not present and he has moved an application for adjournment today. Shri Manish Kumar Srivastava, Counsel for the Respondent is present and he has informed that the Petition was dismissed in default on 02.08.2022, however, liberty was given to the Petitioner to move a restoration application, if he so chooses, within a period of two months from the date of dismissal.
2. An application for restoration has been moved on 23.09.2022, *Prime-facie*, the application appears to be in time. However, the Petitioner is again not present. The copy of the application for restoration has not been given to the Respondent. If restoration application is moved, it is necessary that the copy is given to the opposite side because otherwise they have no knowledge on what ground the

application has been moved. In para 7 of the application, the petitioner has submitted that he undertakes to be more careful in future in pursuing the above mentioned matter.

3. The reason for adjournment shown today is not very satisfactory. The office uploaded the cause list for the cases listed for the month of November, 2022 quite earlier in the month. The request that the Petitioner is not available in city and he cannot get the connectivity through virtual hearing also appears be a lame excuse. We are not inclined to restore the matter any further.
4. The Petition is dismissed for want of prosecution.

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

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