Delhi Electricity Regulatory Commission

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

F.11(585)/DERC/2010-11/C.F.No. 2577/5721

Petition No. 49/2010

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

AND

In the matter of:

Sh. Subhash
1700, G/F,
Kucha Dakhani Rai,
Darya Ganj,
Delhi-110 002. **…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;
3. Sh. Kshitiz Mahipal, Counsel Petitioner.

ORDER

Date of Hearing: 29.11.2011
(Date of Order: 11.01.2012)

1. The instant complaint has been filed by Sh. Subhash R/o 1700, G/F, Kucha Dakhani Rai, Darya Ganj, Delhi who is the registered Petitioner of BYPL

having K. No. 112022100248 against the Respondent company under section 142 of the Electricity Act, 2003.

2. The brief matrix of the case is that on 24.12.2009 officials of the Respondent changed the meter of the Petitioner against a complaint filed by him. However, the meter was again changed on 20.02.2010 and a show cause notice was issued to the Petitioner on 12.03.2010 for alleged case of DAE and an assessed bill of Rs. 5,770/- was issued to the Petitioner with the due date of payment on 09.06.2010.

3. The Petitioner has submitted that there was no tampering in the seals of the meter and hence, tampering of the meter cannot be established. The Petitioner has also submitted that CMRI data of the meter has not been provided. Moreover, the consumption pattern is the same before and after the installation of the meter.

4. The Respondent, in addition to its para wise reply has also filed an affidavit on Oath dated 29.09.2011 stating that the aforesaid matter had already been amicably settled between petitioner and respondent company in August, 2010 and petitioner has submitted an application for withdrawal of the case.

5. In pursuance of the above affidavit, Commission issued a letter to the Petitioner seeking confirmation from him on the above settlement and gave 15 days time to reply from the receipt of letter. The letter was issued on 07.10.2011.

6. The Petitioner was also informed through this letter that in absence of his non-submission of confirmation, it will be presumed that he is no more interested to press his prayer /grievance and the said complaint shall be treated as amicably settled and withdrawn.

7. The Commission conducted the hearing in the above matter on 29.11.2011 which was attended by the above officer of the Respondent. However, no one appeared on behalf of the Petitioner. Since, the Petitioner has neither responded to the above letter nor attended the

hearing, therefore, in light of the above the Commission decide to dispose off the above complaint as considered, amicably settled and withdrawn.

8. Ordered accordingly.

Sd/-	Sd/-	Sd/-
(J. P. Singh)	(Shyam Wadhera)	(P. D. Sudhakar)
MEMBER	MEMBER	CHAIRPERSON