

Delhi Electricity Regulatory Commission

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

F.11 (580)/DERC/2010-11/C.F.No. 2519/5719

Petition No. 51/2010

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

AND

In the matter of:

Surender Kumar
H.No. L-265, Laxman Puri,
Pahar Ganj,
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. Sanjib Pal, Sr. Manager, BYPL;
2. Sh. Dinesh Yadav, Sr. Manager, BYPL;
3. Sh. P.K. Mahur, Officer Legal, BYPL.

ORDER

Date of Hearing: 08.11.2011
(Date of Order:11.01.2012)

1. The instant complaint has been filed by Sh. Surender Kumar, R/o. H.No. L-265, Laxman Puri, Pahar Ganj, Delhi against the Respondent company BYPL under section 142 stating that the demand raised by the Respondent for Rs. 2,07,806/- may be quashed.

2. The brief matrix of the case is that the premises of the Petitioner was inspected on 27.07.2009, where connected load was found 11.568 KW against 5 KW non- domestic connection and meter date and time was found disturbed.
3. So, the Respondent booked a case of DAE and issued a speaking order on dated 24.12.2009 along with the above amount bill.
4. In the present complaint, the Petitioner has sought penal action against the Respondent on the ground that the Respondent has not followed the provisions of Regulation 52 and other related Regulations of supply code while booking of the above case and has also sought to issue direction to the Respondent for withdrawal of the above case.
5. The Respondent was asked to file para wise reply on the above allegations of the Petitioner. However, in addition to filing its para wise reply the Respondent has also filed an affidavit stating therein that the aforesaid matter had already been amicably settled between petitioner and respondent company in October, 2010 and the Petitioner has made full payment as per settlement and no dispute remains in between both parties.
6. In pursuance of the above affidavit, Commission issued a letter to the Petitioner for seeking confirmation from him on the above statement of the Respondent and gave 15 days time to file reply. This letter was issued on 07.10.2011 but no response has been received from the Petitioner
7. 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.
8. The Commission conducted the hearing in the above matter on 08.11.2011 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 decides to dispose of the above complaint as considered and amicably settled.

9. Ordered accordingly.

Sd/-
(J. P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P. D. Sudhakar)
CHAIRPERSON