

DELHI ELECTRICITY REGULATORY COMMISSION

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

Petition No. 56/2006

In the matter of:

Surinder Tomar,
A-2/85, G/F,
Safdarjung Development Area,
New Delhi.

.....**Complainant**

VERSUS

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

.....**Respondent**

Coram:

Sh. K. Venugopal, Member & Sh. R. Krishnamoorthy, Member

Appearance:

1. Sh. Sanjeev Khatri.
2. Sh. Jagbir Singh.

ORDER

(Date of Hearing: 18.01.2007)
(Date of Order: 05.03.2007)

1. The present complaint was filed by Sh. Surinder Tomar who is stated to be a registered consumer of electricity connections with K. Nos. 2551-L613-003 and 2551-L613-005 (for domestic light and domestic power, respectively).
2. The case of the Complainant is that the Respondent carried out an inspection at his premises on 12.07.2006 and falsely made a direct theft case against him. The contention of the Complainant is that since the meter was 15 years old, the Respondent was under an obligation to replace the same with electronic meter in compliance of the Regulations of DERC. The Complainant further submitted that the Respondent without offering an opportunity of being heard disconnected the supply and removed the meter.
3. The Complainant has also submitted that he referred the matter to the PLA. The Ld. PLA vide its Interim Order dated 25.08.2006 directed the Complainant to deposit an amount of Rs. 1 lac on or before 31.08.2006 and further directed the Respondent to restore the supply in respect of one connection for

domestic purpose. The PLA vide Order dated 03.11.2006 had closed the matter as unsettled.

4. The Complainant approached this Commission mainly for the following reliefs:
 - a) To set aside the direct theft bills amount to Rs.1,06,880/- + 1,51,482/- raised by the Respondent.
 - b) To award him compensation of Rs.50,000/-.
5. The Respondent in their reply submitted that the Complainant was found indulging in direct theft of electricity by way of illegal means and also found using 14.219 kw load for domestic purpose against both the electricity connections whereas the sanctioned load in respect of both the meters was 5 kw and 1kw, respectively.
6. On the basis of the inspection report the direct theft bills amounting to Rs. 1,51,482/- was raised against K. No. 2551L6130003 and Rs. 1,06,880/- against another K. No. 2551L6130005.
7. Since the Complainant failed to make payment of direct theft bills within the stipulated period, the Respondent filed a criminal complaint against the Complainant before the Special Court under Section 135 of the Electricity Act, 2003.
8. During pendency of complaint before the Commission, the Respondent vide their letter dated 17.01.2007 informed this Commission that the matter has been amicably settled between the parties. A copy of the letter of Sh. Surinder Tomar addressed to the Respondent is also enclosed wherein he has given an undertaking to withdraw the cases pending before any Court/DERC.
9. The representatives of the Complainant are present and have sought the withdrawal of the present complaint, the Respondent have also furnished a letter dated 17.01.2007 with an enclosure where the Complainant has given an undertaking to withdraw the cases before DERC.
10. The complaint is hereby dismissed as withdrawn.

Sd/-
(K. Venugopal)
MEMBER

Sd/-
(R. Krishnamoorthy)
MEMBER