



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

F.11 (1951)/DERC/2021-22

**Petition No. 17/2022**

Under Section 142 of the Electricity Act, 2003

**In the matter of:**  
**Sushila Aggarwal**

.....**Petitioner**

**Versus**

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

.....**Respondent**

**Coram:**

**Hon'ble Shri Justice Shabihul Hasnain 'Shastri', Chairperson**  
**Hon'ble Dr. A.K. Ambasht, Member**

**Appearance:**

- 1. Shri Sukhvinder Singh Babra, Advocate for Petitioner**
- 2. Shri Akhil Hasija, Advocate for Respondent**

**INTERIM ORDER**

(Date of Hearing: 16.08.2022)

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1. Heard Shri Sukhvinder Singh Babra, Counsel for the Petitioner. He has argued that the representative of the Petitioner had gone to the Permanent Lok Adalat only to get the electricity reconnected. He had no intention of settling the issue altogether. Hence, the matter should be heard as if the order of the Permanent Lok Adalat has not been passed at all and even if it has been passed it is a nullity in law because it has not been passed in accordance with Law.
2. Unfortunately, Shri Sukhvinder Singh Babra has not seen the Order of the Permanent Lok Adalat. He is arguing on the basis of conjectures and surmises. Shri Akhil Hasija, Counsel for the Respondent, has pointed out that there is an order by the Permanent Lok Adalat which says that all the matters are settled and no litigation shall be continued any further pending in any other court. Since, the Petitioner or authorised representative has put his signature on this order, the presumption of law will be in favour of the judgement pronounced and not against it. It cannot be presumed that the order was passed with any undue influence nor it can be presumed that the signature was made by the representative without the consent of the Petitioner. Shri Sukhvinder Singh Babra, has vaguely referred to some Hon'ble Supreme Court judgement that order passed against the Petitioner which is against the law is a nullity. No citation has been given of the judgement. It is a vague and a bold statement which ought to have been made with some sense of responsibility before a court and about the Hon'ble Supreme Court of India. However, Shri Sukhvinder Singh Babra, who appears to be quite senior in age has submitted that one opportunity may be given to him to look into the order of the Permanent Lok Adalat as well as the so called judgement of the Hon'ble Supreme Court of India which we are very sure that he has not laid his hands upon.

3. Shri Akhil Hasija, has pointed that the Petition per say is not maintainable because the prayer clause is not in consonance with the powers and spirit of Section 142 of the Electricity Act, 2003. Petition should be dismissed in limine on this technical ground, however considering the facts and circumstances of the case and the request of a Senior Counsel Shri Sukhvinder Singh Babra list this case on 13.09.2022.

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

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