

Delhi Electricity Regulatory Commission

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

Ref. F.11(643)/DERC/2010-11/C.F.No. 3695/ 1712

Petition No. 34/2010

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

In the matter of :

Shri Vijay Kumar
S/o Late Shri Tek Chand Kumar
5131, Harphool Singh Building
Delhi-110007

...Complainant

VERSUS

M/s Tata Power Delhi Distribution Limited
Through its : **CEO**
Hudson Lines, Kingsway Camp
Delhi-110009

...Respondent

Coram:

**Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &
Sh. J.P. Singh, Member.**

ORDER

(Date of Order: 30.07.2013)

1. The present petition has been filed by Vijay Kumar against Tata Power Delhi Distribution Limited under section 142 of the Electricity Act, 2003 for violation of Regulation 2 (f) and Regulation 26 (ii) of DERC (Performance Standards-Metering Billing) Regulations 2002.
2. Notice of the petition was issued to the respondent on 25.10.2010 to file its reply.

3. The matter was listed for hearing on various occasions and lastly it was fixed for 16.05.2013 for hearing on the points of violation of regulations.
4. However, on 12.06.2013, the Commission has received a letter from the respondent stating that the petitioner has already settled the matter amicably with them on 30.05.2013.
5. The Respondent has filed a copy of Memorandum of Settlement dt. 30.05.2013 duly signed by the parties wherein it has been agreed that in terms of the present settlement, the case of dishonest abstraction of energy booked by the respondent on the basis of inspection conducted on 11.12.2004 against the petitioner has been considered and dropped by the respondent. The Respondent has also undertook to refund the entire amount deposited / paid by the petitioner against DAE bill on the basis of aforesaid inspection with simple interest @9% p.a. thereon from the date of payment to date of refund.
6. The Counsel for the Petitioner has also confirmed the aforesaid settlement between the parties vide letter dated 18.07.2013 (received on 23.07.2013). It has also been stated that as per settlement dated 30.05.2013, they have received the refund amount of Rs.1,34,933/- (deposited bill amount – Rs.80842/-, interest Rs.60101/- up to 28.06.2013 with deduction of TDS Rs.6010/-) on 18.07.2013 vide HDFC bank cheque No.713048 dated 15.07.2013.
7. In view of the facts stated above, the Commission decided to dispose-off the above petition considered as amicably settled.
8. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON