



C A No. 151323771
Complaint No. 45/2020

In the matter of:

Vijender Kumar.....Complainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. Vijender Kumar, the complainant
2. Mr. Imran Siddiqi, on behalf of BYPL

ORDER

Date of Hearing: 19th October, 2020

Date of Order: 10th November, 2020

Order Pronounced by:-Dr. Harshali Kaur, Member (CRM)

Briefly stated facts of the case are that the complainant filed the present complaint before this Forum to address his grievance of an allegedly excess amount of Rs.10,340/- on his electricity bill. He prayed for revision and removal of said excess amount from his bill.

The complainant submitted that despite all his previous bills being in the clear, the Respondent has sent an excess amount along with his current bill amounting to Rs.10,340/-.

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Further, in pursuance of revision and removal of this excess amount, the complainant on 11.06.2020 gave letter in the office of the Respondent at Karkardooma and also visited their office at Gokul Puri. At the time, the excess amount was 9,550/-. The complainant states that the authorized officers assured him that his grievance would be redressed at the Gokul Puri office and he needs not pursue it further, but remain patient as it would take some time. He alleges that later he was asked to deposit an amount of Rs.4970/- to clear all dues.

He also states that he had faced a similar issue earlier as well when he had to run from pillar to post to get settle the issue and now again he is being harassed despite not having received Rs.6000/- as charges of the old replaced meter. The complainant filed copies of letters dated 06.01.2020 and 07.11.2014 along with documents that he had sent to the respondent offices to prove the veracity of his statements. He also annexed copies of his bills and pay-in-slips.

Notice was issued to the Respondent who filed their reply wherein it was stated inter alia that the present complaint is filed in regard to transfer of dues amounting to Rs.9506.56 from source CA No.101369597 energized on 06.11.2004 in the name of Bijender Kumar at the address Chiranji Lal, A-1/55, Street No.2, Prem Vihar, Shiv Vihar, Karawal Nagar, Delhi-94 to the target CA 151323771 energized on 20.12.2014 in the name of Vijender at the address, S/o Sh. Chiranji Lal, A-55, GF, Kh. No.37/10, Gali No.2, Prem Vihar, Shiv Vihar, Delhi-94.

Since the source CA No. and target CA No. pertain to the same person ie. Bijender Kumar and Vijender Kumar residing at the same address, the transfer of dues was ascertained after repeated site visits and proper notices and opportunities given to the complainant to appear at the respondent offices and explain why the amount due should not be recovered from him. Since the complainant failed to turn up the dues were transferred accordingly as per DERC by laws.





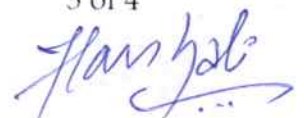

The respondent also annexed several documents to supplement their averments.

The copy of the reply was supplied to the complainant on date of hearing. It has been observed by the Hon'ble Apex Court in "Gujrat Urja Vikas Nigam Ltd. Vs. Essar Power Limited (2008) 4SCC755 to refer or to the dispute to arbitrator for the appointment of arbitrator for resolving the dispute amicably instead of going through laws proceedings in courts. As per the guidelines of resolution of disputes the Forum tried to resolve the dispute between the parties. In the present complaint the Forum has given proper time to hear the case and resolve the grievance to the parties.

After perusing the documents filed by both the parties, the Forum suggested that both parties try for amicable solution before the next date of hearing. The Forum directed the complainant to deposit the current dues of 3 months that were pending and the payment of disputed amount was stayed till final decision of the present complaint.

On the next date of hearing, i.e, 09.10.2020, the Respondent submitted that the complainant had not visited and hence further time was given for amicable settlement. The respondent was further directed to file statement of account of energy consumption.

On the last date of hearing, the complainant filed a withdrawal and satisfaction letter copy of which was placed on record. The settlement and withdrawal letter states that the parties have settled the disputed amount of Rs.11390/- at Rs.4390/-. The complainant was given the benefit of paying the said amount in 6 installments which he has agreed to pay along with his current bills. He further states that he is satisfied and does not want to pursue the case further. The letter is duly signed by the complainant.



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Under these circumstances, we find that the Forum in its capacity tried to resolve the dispute amicably between the parties and gave time to resolve said dispute. As a result, the present grievance stands satisfactorily resolved between both the parties as is established from the letter of Satisfaction and Settlement filed by the complainant on 12.10.2020.

The case is disposed off accordingly. No order as to cost. A copy of this order be sent to both the parties and file be consigned to record room thereafter.


(HARSHALI KAUR)
MEMBER(CRM)


(VINAY SINGH)
MEMBER(LEGAL)


(ARUN P. SINGH)
CHAIRMAN