

**DELHI ELECTRICITY REGULATORY COMMISSION**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017**

F.11 (1508)/DERC/2017-18

**Petition No. 38/2017**

Under section 142 of the Electricity Act, 2003

**In the matter of:**

Shri Islamuddin,  
S/o Shri Kale Khan,  
F-61, Sunder Nagri, Nand Nagri,  
Delhi – 110093

.....Complainant

**Versus**

BSES Yamuna Power Ltd.

**Through its: CEO**

Shakti Kiran Building,  
Karkardooma  
New Delhi – 110092

.....Respondent

**Coram: Hon'ble Mr. Justice S S Chauhan, Chairperson**  
**Hon'ble Mr. B.P. Singh, Member**

**Appearance:**

1. Shri Suraj Prakash, on behalf of the Petitioner.
2. Shri Munish Nagpal, DGM, BYPL
3. Shri I U Siddiqui, BYPL
4. Shri Rohit Sharma, BYPL

**ORDER**

(Date of Hearing: 09.08.2018)

(Date of Order: 20.08.2018)

1. On a suggestion as to why the delay and latches be not attracted in the instant case as there is a delay of 13 years in filing the petition before the Commission. The Authorised representative appearing on behalf of the petitioner contended that till last year the matter was pending before the Special Judge and matter is now pending in the Hon'ble High Court of Delhi as the stay has been granted against the order of the Special Judge/Special Court of Electricity. It is therefore, provided that the petitioner may pursue his remedy in the appropriate court where the matter is pending for adjudication.
2. So far the claim of the Petitioner is concerned, it is highly time barred and the same cannot be condoned. Delay is of 13 years in approaching the Commission. Petition is accordingly dismissed.

**Sd/-**  
**(B.P. Singh)**  
**Member**

**Sd/-**  
**(Justice S S Chauhan)**  
**Chairperson**