

**ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012**

Mahendra Kumar Sahoo

.... **Petitioner**

- Vrs. -

1. SDO, Electrical Dist. Subdivision, Tangi, Khurda

2. AGM, Balugaon, Dist : Khurda

.... **Respondents**

Case No.19/06

Dt.06.07.2006 : The petitioner is present. Heard on the question of admission. It is seen that the present petition u/s.142 of the Electricity Act, 2003 is against the non-compliance of the orders dtd.25.05.2005 passed by the GRF, Bhubaneswar in Case Nos.94 & 129 of 2005. Admittedly, the petitioner without making representations before the Ombudsman for non-compliance of the above orders have directly come to the Commission. The petitioner without having exhausted its remedy before the forum cannot directly come to the Commission. That being so, we are inclined not to admit the petition u/s.142 of the Electricity Act, 2003.

The petitioner submits that the period of limitation of 30 days for making representations before the Ombudsman have already expired and he apprehends that if he will go to the Ombudsman for redressal, there is every chance of dismissal of the same on the question of limitation.

Taking into consideration of the facts and circumstances of the complaints made by the petitioner before the GRF, we condone the delay already caused by the petitioner. For the interest of justice, we are sending the present petition to Ombudsman for disposal within two months from the date of its receipt, by treating the same as a representation against non-redressal of his grievance instead a petition u/s.142 of the Electricity Act, 2003. We further direct that in no circumstances the Ombudsman should look to the question of limitation in case the same is raised by the other side.

**Sd/-(S.K. Jena)
Member**

**Sd/-(B.C. Jena)
Member**