

ORISSA ELECTRICITY REGULATORY COMMISSION

BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012

Present : Shri B. K. Das, Chairperson
Shri K.C. Badu, Member
Shri B.K. Misra, Member

Case No.87/2009

M/s Shree Shyamji Paddy Processing Pvt. Ltd.	Petitioner
Vrs.	
CEO, WESCO & Others	Respondents

In the matter of : U/s 142 of the Electricity Act, 2003.

For the petitioner : Mr. Deepak Kumar Agrawal, Director, M/s
Shree Shyamji Paddy Processing Pvt. Ltd.

For the Respondents : Mr. D.K. Bishi, Advocate, Mr. P. K. Pradhan,
CEO, WESCO, Mr. S.K. Das, E.E. , TED,
WESCO

Date of Hearing : 17.08.2009

Date of Order : 25.08.2009

ORDER

Heard the parties at the length. The contention of the petitioner is that WESCO authorities have failed to implement the Order dtd. 28.11.2006, in Cr. case No. OMB(WZ)-5/2006-07 of the Ombudsman Western Zone. The respondents- E.E. Titilagarh Electrical Division stated that WESCO had assailed the said order of the Ombudsman in a Writ petition bearing WP(C) No. 246/2007 before the Hon'ble High Court of Orissa. The Hon'ble High Court had disposed of the said

Writ petition granting liberty to the licensee to cause an enquiry giving opportunity to the consumers to prove whether the tampering of the seal of the meter and meter equipments made under compelling situation or for purpose of pilferage and arrive at a decision to that effect. The Hon'ble High Court had not found any infirmity in the orders of the Ombudsman. According to the above direction of the Hon'ble High Court, the licensee had constituted a team consisting of S.E., Balangir, SDO (MRT), Kantabanjhi and the representative of the consumers. The said team had submitted its report. He further stated that the licensee has implemented the Orders of the High Court in full and not violated the aforesaid order of the Hon'ble High Court and thereby has also not violated the order of the Ombudsman.

2. After perusal of the case records it is clear that the respondent-WESCO has not violated the order of the Ombudsman passed in the aforesaid case so also we do not find any sufficient ground to proceed in this matter u/s 142 of the Electricity Act, 2003. The petition is dismissed.
3. Accordingly, the case is disposed of.

Sd/-
(B. K. Misra)
Member

Sd/-
(K.C. Badu)
Member

Sd/-
(B. K. Das)
Chairperson