

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.89/2009

Shri Sachidananda Majhi. **Petitioner**

Vrs.

SDO, Dhanuapali, WESCO **Respondent**

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

For the petitioner : **Mr. Sachidananda Maihi.**

For the Respondents : Mr. P. K. Pradhan, CEO, WESCO, Mr. B.K. Pattnaik, Advocate

Date of Hearing : 17.8.2009 **Date of Order : 25.08.2009**

ORDER

Heard the parties at the length. The present petition is filed by the petitioner for non-implementation of Order dtd. 22.01.2009 passed in Cr. case No. (W)-23/2008 & also order dtd. 30.04.2009 in Cr. case No. OM-II(W)-09/2009 passed by the Ombudsman-II. The respondent has rebutted the allegation made by the petitioner and stated that the order of the Ombudsman has been duly complied. The respondent has filed the revised calculation sheet wherein the petitioner has acknowledged it with his signature. As such, prima facie the orders of the Ombudsman-II have been complied with, but the petitioner it appears is not satisfied with the revised calculation. As it appears, the orders of the Ombudsman has been carried out by the licensee and there are no sufficient grounds to proceed further under Section 142 of the Electricity Act, 2003.

2. On the other hand, the petitioner has raised certain objections to the compliance of the licensee. This is a matter for further verification of the facts and figures. At this stage we do not want to go into the details of the revisions made in the Revised Bill. The matter is remitted to the Ombudsman for verification of the calculations made. The petitioner is given liberty to approach the Ombudsman for redressal of his grievance in regard to the non-compliance of the GRF's orders. Both the parties are allowed to produce the relevant documents before the Ombudsman. After hearing the parties and considering all the facts, the Ombudsman will pass an appropriate order.
3. Accordingly the matter is disposed of.

Sd/-
(B. K. Misra)
Member

Sd/-
(K.C. Badu)
Member

Sd/-
(B. K. Das)
Chairperson