

**ODISHA ELECTRICITY REGULATORY COMMISSION**

**BIDYUT NIYAMAK BHAWAN,**

**UNIT – VIII, BHUBANESWAR – 751 012**

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**Present : Shri S.P Nanda, Chairperson**  
**Shri B.K. Misra, Member**  
**Shri S.P.Swain, Member**

**Case No.38 of 2012**

Shri. Dasarath Behera .....Petitioner

Vrs.

S.D.O. (Elec.), KED, NESCO ..... Respondent

**In the matter of: An application under Section 142 of the Electricity Act, 2003 read with 146 of the said Act.**

For the Petitioner: Shri. Falguni Rajguru Mohapatra, Advocate and Shri A.K.Sahani,  
authorised representative.

For the Respondent: Shri. Rajkishore Mohanta, SDO (Elect.), KED, Khunta, NESCO.

**Date of hearing: 19.06.2012**

**Date of Order: 23.06.2012**

**ORDER**

1. Heard both the parties at length. The petitioner through his authorised representative has filed the present application under Section. 142 of the Electricity Act, 2003 for compliance of the order dated. 13.02.2012 passed by the Ombudsman-II in C.R.Case No. 68/2011, wherein the Ombudsman-II remanded the matter to the SDO (Elect.), KED, Khunta, NESCO. As the order has not been complied within a period of 15 days, the present application has been filed by the petitioner before this Commission under Section. 142 of the Electricity Act, 2003 for penal action against the respondent.
2. Though notice has been given to the respondent for filing of reply, if any, on or before 16.06.2012 but no reply has been filed till today. When the matter was taken up for

hearing, the Asst. Manager (Elect.), KED, Khunta filed an application for adjournment of the matter for submission of its reply.

3. In view of the above facts and circumstances we are not inclined to accept the prayer of respondent and direct the respondent to comply the Order dated 13.02.2012 passed by the Ombudsman-II in C.R.Case No. 68 of 2011 within a period of 15 days failing which, suo-motu cognizance shall be taken against the respondent for non-compliance of the said order of the Ombudsman-II. A copy of such compliance should be submitted before the Commission.
4. With the above direction, the case is disposed of.

Sd/-  
**(S.P.Swain)**  
**Member**

Sd/-  
**(B.K.Misra)**  
**Member**

Sd/-  
**(S. P. Nanda)**  
**Chairperson**