

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.39 of 2012

M/s. Sourav Alloy & Steel (p) Ltd.Petitioner

Vrs.

Sr. GM (TP&c), OPTCL & anotherRespondents

In the matter of: An application under Section 142 of the Electricity Act, 2003 for non implementation Order dated 22.07.2006 against Case No. 36 of 2005 & Order dated 26.04.2011 in Case Nos. 63/2006 & 03/2007 and violation of agreement.

For the Petitioner: Shri A.K.Sahani authorised representative of M/s Sourav Alloys & Steel (P) Ltd.

For the Respondents: Shri L.N.Mohapatra, Advocate on behalf of OPTCL.

Date of hearing: 19.06.2012

Date of Order:23.06.2012

ORDER

1. Heard both the parties at length. The petitioner M/s Sourav Alloys & Steel Ltd. has filed the application u/S. 142 of the Electricity Act, 2003 for non-implementation of the order dated. 22.07.2006 passed by Commission in Case No. 36/2005 and Order dated. 26.04.2011 passed in Case No. 63/2006 & 03/2007 with the prayer for refund of Rs. 21, 60, 000/- with 12% interest per annum which was collected by OPTCL towards infrastructure loan and has further submitted that the said loan amount has not been refunded in time as per the agreement.
2. Reply has been submitted by OPTCL alleging maintainability of this case before this Commission.

3. In course of hearing it has been submitted by the counsel appearing for the OPTCL that they have no objection for refund of the loan amount with interest but the said refund shall be made as per the terms of the agreement and after getting information from the supply engineer when load has been enhanced.
4. Accordingly we direct the Opposite Party OPTCL to refund the loan amount with interest as per the terms of agreement within a period of 15 days.
5. The case is disposed of.

Sd/-
(S.P.Swain)
Member

Sd/-
(B.K.Misra)
Member

Sd/-
(S. P. Nanda)
Chairperson