

**ODISHA ELECTRICITY REGULATORY COMMISSION  
BIDYUT NIYAMAK BHAWAN  
PLOT NO.-4, CHUNAKOLI, SHAILASHREE VIHAR  
BHUBANESWAR - 751 021**

\*\*\*\*\*

**Present:      Shri U.N. Behera, Chairperson  
                  Shri A. K. Das, Member  
                  Shri S. K. Parhi, Member**

**Case No. 42/2016**

M/s. Jagannath Institute of Engg. & Tech.	.....	Petitioner
Vrs.		
E.E (Elect.), SED, Sambalpur	.....	Respondent

**In the matter of:      An application u/S. 142 of the Electricity Act, 2003 for non-compliance of order dated 21.06.2016 of the Ombudsman-II passed in C. R. Case No. Om (II) (W)-08 of 2015.**

**For Petitioner:      Shri A. K. Sahani, the authorised representative.**

**For Respondent:      Shri Amaresh Chandra Bal, Asst. Manager (Law), WESCO Utility.**

**Order**

**Date of hearing: 17.01.2017**

**Date of order: 28.01.2017**

M/s. Jagannath Institute of Engg. & Tech. has filed the above noted case under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 21.06.2016 of the Ombudsman-II passed in C. R. Case No. Om (II) (W)-08 of 2015 wherein the Ombudsman-II has directed the respondent herein as follows:

- (i) Refund the meter rent recovered through the monthly energy bill, if the same has not been done so far.
  - (ii) Withdraw the transformer loss claimed in the bills w.e.f. 08/2012 to till date and bills should be raised on LT tariff w.e.f. 08/2012.
  - (iii) The bills relating to demand charges/MMFC from the date of supply is to be re-examined and revised based on the recorded maximum demand as per OERC order from time to time and adjust the amount in the subsequent bills of the consumer.
2. The case is taken up today for hearing on question of admission as well as on merit. During hearing, the respondent prayed for 15 days time for compliance of the above order dated 21.06.2016 of the Ombudsman-II passed in C. R. Case No. Om (II) (W)-

08 of 2015. On the directions given in Sl.No.1 &2 and the direction in para 3 of the said order of the Ombudsman-II the WESCO Utility has moved to the Hon'ble High Court of Orissa in W.P.(C) No.4792 of 2014. The Respondent has furnished the revised bill of the petitioner as per the above order of the Ombudsman-II to his higher authorities at Bhubaneswar for approval and the same has been approved by the higher authority. The Petitioner agreed to the same. Therefore, basing on the submission of the Respondent there is no need to keep the case in abeyance further with us. The Respondent is directed to implement the part of the above order of the Ombudsman-II that has not been challenged before the Hon'ble High Court within 15 days from the date of this order with intimation to this Office. Regarding the other part of the order the decision of the Hon'ble High Court shall be applicable to both the parties.

3. With the above observation, the case is disposed of.

Sd/-

**(S. K. Parhi)**  
**Member**

Sd/-

**(A.K.Das)**  
**Member**

Sd/-

**(U.N.Behera)**  
**Chairperson**