

**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. 77/2016

| | | |
|---|-------|-------------|
| Sri Sanjeeb Kumar Giri | | Petitioner |
| Vrs. | | |
| S.D.O (Elect.), Baripada, NESCO Utility & another | | Respondents |

In the matter of: An application petition under S.142 of the Electricity Act, 2003 for non-compliance of Order dated 22.02.2016 of GRF, Balasore passed in Case No.09 of 2016 and also Order dated 23.07.2016 of the Ombudsman-II passed in C.R.Case No.Omb(II)N-39 of 2016 .

For Petitioner : Nobody is present.

For Respondent : Shri Rajesh Ranjan Ghadai, S.D.O (Elect.), Baripada, NESCO Utility and Shri Binaya Kumar Sahoo, Gm (Operation), NESCO Utility.

Order

Date of hearing: 02.05.2017

Date of order: 06.05.2017

The case is taken up today for hearing on question of admission as well as on merit.
Heard the parties at length.

2. On repeated calls the Petitioner is absent. Perused the petition and the counter reply. The Respondent submitted that although as per the order of Ombudsman-II the Petitioner was given two chances to state his stand in this case under Section 126 of the Electricity Act, 2003 he did not appear before Executive Engineer (Electrical), BED, Baripada for this case. The Respondent also brought to the notice of the Commission a letter purported to have been written by the father of the Petitioner where he has admitted that there has been unauthorized use of electricity in the premises of the Petitioner. In view of the above the Petitioner is given another chance to state his stand in this case before Executive Engineer (Electrical), BED, Baripada the Assessing Officer in this case. The Assessing Officer shall pass appropriate order after that under the Act. The Respondent is directed to summon the Petitioner on a suitable date for this purpose. If the Petitioner does not appear before the Assessing

Officer on that day it will be presumed that he has nothing to say in this matter and the Assessing Officer shall issue the final order.

3. Accordingly, the case is disposed of.

Sd/-
(S. K. Parhi)
Member

Sd/-
(A.K.Das)
Member

Sd/-
(U.N.Behera)
Chairperson