

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

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

Case No. 23/2019

Sri Rupesh Doshi	Petitioner
Vrs.		
The E.E (Elect.), CDD-I, Cuttack	Respondent

In the matter of: **Application under S. 142 of the Electricity Act, 2003 for non-implementation of Order dated 07.1.2019 & 01.12.2018 of the Ombudsman-I passed in C.R.Case Nos.105 & 106 of 2018 respectively.**

For Petitioner: Shri Falguni Rajguru Mohapatra, Authorised representative.

For Respondent: Shri Debaranjan Ray, Advocate.

ORDER

Date of hearing: 06.08.2019

Date of order:19.08.2019

The petitioner, Sri Rupesh Doshi has filed the present petition under Section 142 of the Electricity Act, 2003 for non-implementation of the Order dated 07.1.2019 & 01.12.2018 of the Ombudsman-I passed in C.R. Case Nos. 105 & 106 of 2018 respectively.

2. The case was taken up for hearing on question of admission as well as on merit. The petitioner had submitted that the Ombudsman-I while disposing of the above C.R. Case No.105/2018 had directed the respondent to install HT metering system of the consumer within four months, failing which transformer loss cannot be added in the electricity bills of the consumer after four months. The respondent was also directed to include the remunerative norms in the estimate for 3-phase supply extension for cost benefit analysis to determine the gross operating surplus and return on investment and the petitioner was at liberty to approach the appropriate civil Court for any money back or refund of capital expenditure for the scheme becoming remunerative. During hearing, the authorised representative of the petitioner stated that since the respondent had not complied the above order of the Ombudsman-I, they had filed the present

petition under Section 142 of the Electricity Act, 2003. But now they would like to withdraw the present petition. Accordingly, he filed a withdrawal petition before this Commission with the prayer to allow the petitioner to withdraw the present case with a liberty to approach the appropriate Court.

3. The counsel appearing on behalf of respondent has submitted that the respondent has complied the order dated 07.01.2019 of the Ombudsman-I passed in C.R.Case No. 105/2018 and the order dated 01.12.2018 passed in C.R.Case No.106/2018, of the Ombudsman-.
4. Prayer for withdrawal of the case by the petitioner is allowed and the case is dismissed as withdrawn.

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson