

**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. 36/2019

M/s. Subha Tamanna Anata Education Trust Petitioner

Vrs.

Asst. GM (Elect.), CED, CESU & another Respondents

**In the matter of: Application under Sections 142 & 146 of the Electricity Act, 2003
 for Non-Compliance of the order dated 26.04.2019 passed in C.R.
 Case No. 22 of 2019 of the Ombudsman-I.**

For Petitioner: Nobody is present.

For Respondent: Shri S. C. Das, Advocate
 Shri Durga Sankar Das, E.E (Elect.), CED, CESU.

ORDER

Date of hearing: 27.08.2019

Date of order: 05.09.2019

The petitioner M/s. Subha Tamanna Anata Education Trust has filed the present petition under Ss. 142 & 146 of the Electricity Act, 2003 for Non-Compliance of the order dated 26.04.2019 passed in C.R. Case No. 22 of 2019 of the Ombudsman-I.

2. The application of M/s. Subha Tamanna Anata Education Trust was taken up for hearing. The petitioner was absent on repeated calls. The petitioner in his petition had submitted that the above case under Section 142 & 146 of the Electricity Act, 2003 was filed for non-compliance of the order dated 26.04.2019 passed in C.R. Case No. 22 of 2019 of the Ombudsman-I. The Ombudsman-I while disposing of the case had directed the respondents to comply the order of the GRF, Cuttack i.e. to provide 3-phase service connection for 10 KW load to the petitioner's rented premises in the Second Floor subject to an affidavit of the owner of the premises to the effect that any future liability accrued towards electricity dues, if any will be borne by the owner of the premises, subject to the order passed by the Hon'ble High Court in W.P. (C) No. 6029 of 2019. The Hon'ble Court vide their order dated 11.03.2019 had dismissed the

above writ petition wherein the respondents had challenged the order passed by the GRF, CESU passed in C.C. Case No. 932/2018, which had been confirmed by the Ombudsman-I in C.R. Case No. 22/2019. Therefore, the order passed by the Ombudsman-I has reached its finality and is bound to be implemented by the respondents. The petitioner has also complied the direction of the Ombudsman-I for availing the power supply.

3. The counsel appearing on behalf of the respondents submitted that the respondents have complied the said order dated 26.04.2019 passed in C.R. Case No. 22/2019 of the Ombudsman-I in letter and spirit in the meantime. He also prayed the Commission to drop the proceeding initiated under Sections 142 & 146 of the Electricity Act, 2003.
4. Since the respondent says that he has complied the order of the Ombudsman-I in C.R. Case No. 22/2019 and the petitioner has nothing to say to the contrary as he is absent on repeated calls, we are of the view that there is no need to proceed further in this matter.
5. Accordingly, the case is dropped as order dated 26.04.2019 passed in C.R. Case No. 22 of 2019 of the Ombudsman-I has been complied.

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson