

**ODISHA ELECTRICITY REGULATORY COMMISSION**  
**BIDYUT NIYAMAK BHAWAN**  
**PLOT NO.-4, CHUNUKOLI, SHAILASHREE VIHAR**  
**BHUBANESWAR - 751 021**  
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**Present:      Shri U. N. Behera, Chairperson**  
**Shri S. K. Parhi, Member**  
**Shri G.Mohapatra, Member**

**Case No. 06/2020**

Sri Bijay Sankar Jyotish	.....	Petitioner
Vrs.		
The E.E (Elect.), BED,NESCO Utility, Baripada	.....	Respondent

**In the matter of:      Application under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 24.05.2019 of the Ombudsman-II passed in C.R.Case No.OM(II)-05/2019.**

**For Petitioner:**      Shri R.K. Behera, the authorised representative.

**For Respondent:**      Shri S.C.Dash, Advocate.

**ORDER**

**Date of hearing: 18.08.2020**

**Date of order:18.08.2020**

Sri Bijoy Sankar Jyotish, Katarbasa, Mayurbhanj has filed the above case under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 24.05.2019 of the Ombudsman-II passed in C.R.Case No. 5 of 2019. The Ombudsman-II has directed the respondent to implement the order of the GRF, Balasore passed in C.C.Case no.202 of 2018. The GRF, Balasore while disposing of the said consumer complaint had directed the respondent that any expenditure incurred by the prospective consumer on behalf of NESCO Utility can be adjusted against monthly energy bill subsequently within a period not exceeding 24 months from the date of availing power supply.

2. The learned counsel appearing on behalf of the respondent E.E (Elect.), BED,NESCO Utility, Baripada states that they had gone on appeal to Hon'ble High Court in W.P.(C). No. 11482/2019 against the order of Ombudsman-II. However, Hon'ble Court has dismissed the appeal and they have filed a Misc. Case for recalling of the said order which is yet to be listed.
3. The authorised representative of the petitioner submits that as the writ petition in W.P.(C). No. 11482/2019 filed by the respondent before the Hon'ble High Court of Orissa

challenging the order dated 24.05.2019 of the Ombudsman-II passed in C.R Case No. 05/2019 has been dismissed the respondent must implement the order of Ombudsman-II and the order of GRF in CC Case No.202/2018.

4. Heard the parties. The respondent is directed to implement the order dated 24.05.2019 of the Ombudsman-II passed in C.R Case No. 05/2019 where the order of GRF Balasore passed in C.C. Case No. 202/2018 has been upheld, within a period of 30 days.
5. The case is disposed of accordingly.

**Sd/-**  
**(G.Mohapatra)**  
**Member**

**Sd/-**  
**(S. K. Parhi)**  
**Member**

**Sd/-**  
**(U. N. Behera)**  
**Chairperson**