

**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
 Shri G. Mohapatra, Member**

Case No. 29/2020

Sri Sukadev Chowdury	Petitioner
Vrs		
The E. E (Elct.) CDD-1, Cuttack, TPCODL & Others.....		Respondents

In the matter of: Application under Sec. 142 of the Electricity Act, 2003 for non-implementation of order dated 26.03.2020 of the GRF, Cuttack passed in Case No.160/2020.

For Petitioner: Shri Lalit K. Maharana, Advocate

For Respondent: Shri D. R. Ray, Advocate.

ORDER

Date of hearing: 08.09.2020

Date of order: 15.09.2020

The Petitioner Shri Sukadev Choudhury has filed the above case under Section 142 of the Electricity Act, 2003 challenging the order dated 26.03.2020 of the GRF, Cuttack passed in C.C. Case No.160 of 2020. The learned GRF while disposing of the above C.C. Case has observed that the prayer of the petitioner for revision of average billing from June, 2012 to January, 2014 is rejected as per Clause 97 of the OERC Distribution (Conditions of Supply) Code, 2004 as the meter has been bypassed by the petitioner. The O.P. (Respondent herein) is directed to verify the payment receipt of the petitioner for payment of Rs.20,000/-. After verification the amount is to be credited in petitioner account if not done earlier.

2. Due to the prevalence of pandemic COVID-19, the matter is taken up for hearing through video conferencing. Shri Maharana, the counsel of the petitioner admits that the petitioner has filed the above petition before the Commission challenging the order of the GRF, Cuttack which is not entertainable here as per law. Therefore, he prays the Commission to

allow him to withdraw the present case and to file an appeal before the Ombudsman for consideration. In the meantime, the Respondent may be directed not to disconnect power supply to his premises.

3. Prayer of the petitioner for withdrawal of the case is allowed as the respondent has no objection. The petitioner may file a consumer representation before the Ombudsman-I challenging the order dated 26.03.2020 of the GRF, Cuttack passed in C.C. Case No.160 of 2020 within 15 days from the date of this order and the Ombudsman-I may condone the delay for filing of consumer representation.
4. With the above observation the case is dismissed as withdrawn.

Sd/-

(G. Mohapatra)
Member

Sd/-

(S. K. Parhi)
Member

Sd/-

(U. N. Behera)
Chairperson