
ORDER

compliance of order dated 14.08.2020 of the Ombudsman-II passed in C.R.Case No.13 of 2020. The Ombudsman-II while disposing of C.R.Case No.13 of 2020 has passed the following orders:-

Since it is an interim order against the interim direction of the GRF, Balasore vide their order dated 13.08.2020 passed in Case No.263 of 2020 and the main case is pending for adjudication before the GRF, Balasore, there is no scope for this authority to go deep into the merit of the case. But for passing an interim order, it is to be looked into the urgency of the matter vis-a-vis the plight of the Consumer and employees particularly during this COVID-19 pandemic. Taking into consideration the said factors and regard being had to the facts and circumstances of the case matter pending before the GRF, Balasore, I feel it just and proper to direct the respondents to give re-connection of electric supply to the industry of the consumer on his deposit of a sum of Rs.1,00,000/- only out of the total bill amount of Rs.3,36,357/- within three days hence. It is made clear that the consumer shall go on paying regular monthly electric bills to the respondents from July,2020 onwards basing upon his consumption. The matters relating to the adjustment of aforesaid bill amount of Rs.3,36,357/- out of the security deposit amount of the consumer shall be adjudicated by the GRF, Balasore in the main case.

2. Due to Covid-19 pandemic situation, the Commission had decided to hear the matter through Video Conferencing in the Virtual Court on 22.09.2020. Accordingly the parties had been intimated.
3. During hearing, the Counsel for the Respondent submits that the petitioner has filed the above case u/S.142 of the Electricity Act, 2003 by taking the plea of non-compliance of the interim order dated 14.08.2020 of the Ombudsman-II in C.R. Case No.13 of 2020 arising out of the interim order dated 13.08.2020 of the GRF, Balasore passed in Case No.263 of 2020.
4. The Respondent has submitted that in respect of the order dated 14.08.2020 of the Ombudsman-II in C.R. Case No.13 of 2020, the petitioner has partly complied the order by depositing Rs.1,00,000/- against the arrear outstanding dues and he has not paid monthly bill of July, 2020 onwards.

5. In the meantime, the main case i.e. No. 263 of 2020 which was pending before the GRF, Balasore has been disposed of and the order has been passed on 02.09.2020 with the following observation:

“The forum directed the respondent to review the adequacy of the amount of Security Deposit in terms of Regulation 53 of the code, 2019 and refund the excess security deposit in terms of Regulation 54(ii) by adjustment from the outstanding dues of the complainant and allow the complainant to pay the latest electricity bills before processing the application for reduction of the CD in the prescribed application form No. II as required under Chapter-III of OERC Distribution Supply Code, 2019. The respondent is directed to implement the order within 30 days from date of receipt of this order.

As the main case is disposed of by the GRF, Balasore, there is no legal value of the interim order passed by the Ombudsman-II in Case No.13 of 2020. In any case, the interim order of the Ombudsman-II has been taken care of in the final order dated 02.09.2020 of the GRF.

6. Heard the parties at length. The Commission has taken the submissions made by the Petitioner and Respondent into consideration. The Petitioner submits that during the pendency of the case, GRF, Balasore has pronounced an order on dated 02.09.2020 and prayed for its early implementation. The Respondent also submits that they do not have any objection for implementation of GRF order dated 02.09.2020.
7. In view of the above, we observe that the GRF, Balasore has passed the order in the meantime and the same is acceptable to both the parties. The said order of the GRF takes care of the grievance of the Petitioner. The Commission, therefore, directs the respondent to comply the orders dated 02.09.2020 of GRF, raise the demand in terms of the order of GRF and serve the same on the Petitioner by 25.09.2020.
8. In case the demand so raised is in excess of the amount available with the Respondent towards security deposit, a notice shall be issued for payment of the (excess)outstanding dues by the Petitioner. Power supply should be restored within 24 hours of payment of the (excess)outstanding dues, if any by the Petitioner.

9. Alternatively, if the demand so raised is less than the amount available with the Respondent, then the power supply shall be restored immediately.
10. Accordingly, the case is disposed of.

Sd/-
(G. Mohapatra)
Member

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson