

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN,
PLOT NO. 4, CHUNOKOLI, SHAILASHREE VIHAR,
BHUBANESWAR-751021**

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

Case No. 17/2021

M/s. Pooja TradersPetitioner
Vrs.
The E.E(Elect.),CED-II, TPCODL, Badambadi, Cuttack Respondent

In the matter of: **Application under Sections 142 of the Electricity Act, 2003 for non-compliance of order dated 25.02.2021 of the Ombudsman-I passed in C.R.Case No.109 of 2020.**

For Petitioner: Shri. R. K .Behera, the authorized representative.

For Respondent: Shri Chandrabhanu Mohanty, E.E(Elect.),TPCODL, CDD-II, Cuttack

ORDER

Date of hearing: 22.06.2021

Date of order: 30.06.2021

The present Petitioner M/s. Pooja Traders, At-Gopabandhunagar, P.O: Jagatpur, Dist.-Cuttack-754021 has filed this application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 25.02.2021 of the Ombudsman-I passed in C.R. Case No.109 of 2020.

2. Due to Covid-19 pandemic situation, the Commission had decided to hear the matter through Video Conferencing in the Virtual Court on 22.06.2021. Accordingly the parties had been intimated.
3. The application of M/s. Pooja Traders, At-Gopabandhunagar, P.O: Jagatpur, Dist.-Cuttack was taken up for hearing. The authorized representative of the petitioner submits that the above case under Section 142 of the Electricity Act, 2003 was filed for non-compliance of the order dated 25.02.2021 of the Ombudsman-I passed in C.R. Case No.109 of 2020. The Ombudsman-I while disposing of the case had directed the respondent to withdraw the transformer loss from the electricity bill of the petitioner-

consumer from 01.04.2018 onwards in terms of Para No. 328 of OERC RST Order 2018-19. The matter relating to the withdrawal of transformer loss before 31.03.2018 is not considered by this Authority since the same matter is to be adjudicated by the Hon'ble High Court of Orissa in W.P.(C) No.6697 of 2018.

4. The E.E (Elect.), TPCODL, CDD-II, Badamabadi, Cuttack submits that the respondent has complied the said order dated 25.02.2021 of the Ombudsman-I passed in C.R. Case No.109 of 2020 in letter and spirit. As per the Order of the Ombudsman-I the transformer loss from the bill of the consumer has already been revised and the outcome of the revision of Rs.137480.00 has been reflected in the account of the consumer in the subsequent billing month. The matter relating to withdrawal of transformer loss before 31.03.2018 is not considered by the respondent as the issue is pending with the Hon'ble High Court of Orissa in W.P.(C) No. 6697 of 2018. The compliance report has been intimated to the consumer and the consumer has also agreed to the same. Therefore, he has prayed the Commission to drop the proceeding initiated under Section 142 of the Electricity Act, 2003 as the order of the Ombudsman-I has been complied.
5. As the petitioner agrees to the contention of the respondent that he has complied the order dated 25.02.2021 of the Ombudsman-I passed in C.R. Case No.109 of 2020 and prays for withdrawal of the matter, we are of the view that there is no need to proceed further in this matter.
6. Accordingly, the case is dropped as the order dated 25.02.2021 of the Ombudsman-I passed in C.R. Case No.109 of 2020 has been complied.

Sd/-

(G. Mohapatra)
Member

Sd/-

(S. K. Parhi)
Member

Sd/-

(U. N. Behera)
Chairperson