

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

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

**Case No. 60/2021**

M/s. Delight Layer Pvt.Ltd., Vrs The Executive Engineer (Elect.), AED No.1, Aska, TPSODL, Dist.-Ganjam	.....	Petitioner
	.....	Respondent

**In the matter of:**     **Application under Section 142 of the Electricity Act,2003 for non-compliance of order dated 08.03.2021 of the GRF, Berhampur passed in C.C. Case No.94 of 2020.**

**For Petitioner:**     Shri A.K.Sahani, authorized representative

**For Respondents:**     Shri Tapan Kumar Suar,Executive Engineer(Elect.),TPSODL,AED-1,  
Aska

**ORDER**

**Date of hearing: 24.08.2021**

**Date of order:29.10.2021**

The present Petitioner M/s. Delight Layer Pvt. Ltd., Narayanpur, Pandiapatthar, Aska Ganjam has filed this application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 08.03.2021 of the GRF, Berhampur passed in C.C. Case No. 94 of 2020.

2. 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 08.03.2021 of the GRF, Berhampur passed in C.C. Case No.94 of 2020. The GRF, Berhampur while disposing of C.C. Case No. 94 of 2020 had directed the respondent as follows:

1. *Recalculate the final bill as per the prevailing tariff and refund the excess amount already received towards energy charges for extending power supply.*
2. *To extend remunerative scheme facility against cost incurred by the applicant after receipt of bills in support of purchase of materials and all other documents for construction of lines and substations.*

3. *Refund Rs.37,660/- which has been received in excess of estimated cost.*

*The petitioner is directed to submit the material purchase bills and all other required documents for extending remunerative scheme facility by the respondent against the cost incurred for lines and sub-stations.*

3. The Executive Engineer(Electrical), AED-1- the Respondent herein submits that he has complied the said order dated 08.03.2021 of the GRF, Berhampur passed in C.C. Case No. 94 of 2020 in letter and spirit. As per the Order of the GRF, Berhampur the respondent has recalculated the final bill of temporary consumption period amounting to Rs.44,312/- which was generated lawfully as per prevailing tariff. After generation of final bill of the temporary connection period, it is ascertained that the petitioner is eligible to get refund of Rs.1,60,351/-. Hence a cheque bearing No. 414527 dated 11.08.2021 was sent to the petitioner vide letter No. 1562(2) on the said date through Regd.post with AD. Regarding remunerative scheme benefit, the respondent vide his letter No.627(3) dated 08.04.2021 and Letter No.997(3) dated 23.06.2021 had requested the petitioner to submit the materials purchase bills and other documents in order to avail remunerative scheme benefit. On dated 19.07.2021 the petitioner submitted some bills and documents. After receipt of the said bills and documents necessary calculation has been made to determine commercial viability. After calculation it is ascertained that the petitioner does not qualify to avail remunerative benefit. In regard to refund of Rs.37,660/- which was received in excess in the estimated cost from the petitioner the same has been intimated to the Corporate Office for release and soon after receipt of payment from Corporate Office the same will be disbursed to the petitioner. Therefore, he has prayed the Commission to drop the proceeding initiated under Section 142 of the Electricity Act, 2003 as the order dated 08.03.2021 of the GRF, Berhampur passed in C.C. Case No.94 of 2020 has been complied.
4. The authorized representative of the petitioner agrees to the contention of the Respondent that he has complied the order dated 26.02.2021 of the GRF, Berhampur passed in C.C. Case No. 96 of 2020 in letter and spirit and prays the Commission to drop the present proceeding initiated under Section 142 of the Electricity Act, 2003. We are of the view that there is no need to proceed further in this matter as the GRF, Berhampur passed in C.C. Case No.96 of 2020 has been complied by the Respondent.

5. Accordingly, the proceeding under Section 142 of Electricity Act, 2003 is dropped as the order dated 08.03.2021 of the GRF, Berhampur passed in C.C. Case No.94 of 2020 has been complied.
6. Accordingly, the case is disposed of.

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

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

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