



implementation of the said enquiry report, being aggrieved, the petitioner approached the GRF, Cuttack in C.C. Case no.AED/213/2021 for redressal of his grievance.

3. GRF, Cuttack vide its order dt.13.04.2021 in C.C.No.213 of 2021 had directed as below:

1. *The O.P is directed to shift the 11KV over head line from the premises of the complainant within 60 days of receipt of this order as per Clause 37 of the OERC Distribution (Conditions of Supply) Code, 2019.*
2. *The O.P is directed to shift the transformer to a suitable place adhering to all the safety precautions and observations of the Forum above within 90 days of receipt of this order as per Clause. 37 of the OERC Distribution (Conditions of Supply) Code, 2019.*
3. *If the O.P. wants to adopt any other alternative for resolving the dispute while shifting of transformer, he is directed to do so only with the consent of the Complainant. The Complainant is directed to co-operate in the matter for greater interest of the electricity consumers of the locality so as to create a win-win situation for all.*

4. Due to non-compliance of the above orders of GRF by the licensee, the petitioner had filed a case before Ombudsman-I and the said Forum in C.R. Case No.OM(I)-118 of 2021 dated 17.08.2021 had directed the Executive Engineer(Electrical), AED, Athagarh, TPCODL, Cuttack for implementation of direction No. 2 & 3 of the order of the GRF, Cuttack passed in C.C. Case No.213 of 2021 within a month failing which the petitioner would be at liberty to approach the OERC for necessary redressal of his grievance. Thereafter as the above order of the Ombudsman-I has not been complied by the respondents, the petitioner has filed the present case for implementation of both the orders of the Forums along with the prayer for imposition of penalty on the respondents as per Section 142 of the Electricity Act, 2003.

5. The present case was taken up for hearing on 10.05.2022, 21.06.2022 and on 26.07.2022 by the Commission. On 26.07.2022 after hearing the parties, the Commission had passed the following orders posting the matter to 16.08.2022 at 11.00 A.M. for hearing. The said interim order dated 26.07.2022 of the Commission is as follows:-

- “3. *The case is taken up through virtual mode of hearing. During hearing, the Executive Engineer (Elect.), AED, Athagarh, TPCODL has prayed for further ten days more time for execution of work of shifting of the 11 KV line from the premises of the petitioner as execution of the said work is in progress and will be completed within ten days.*

4. *Prayer of the respondent is allowed. The respondent is directed to complete execution of the work of shifting of the 11 KV infrastructures as per the order of GRF, Cuttack dated 13.04.2021 passed in CC Case No.213 of 2021 from the premises of the petitioner and submit such compliance report by 08.08.2022 to this office positively serving a copy of the same on the petitioner.”*
6. During hearing of the case on 01.11.2022, the Respondent has submitted that in the meantime they have complied with the order dated 13.04.2021 of the GRF, Cuttack passed in C.C. Case No.213 of 2021 so also the order dated 17.08.2021 of the Ombudsman-I passed in C.R. Case no.118 of 2021 in letter and spirit. The execution work of shifting of the DP with 11KV lines from the premises of the petitioner was completed before 27.10.2022. The said compliance report has been submitted before this Commission with intimation to the petitioner. The above fact of the Respondent is admitted by the petitioner and the petitioner has prayed to the Commission to drop the proceedings under Section 142 of the Electricity Act, 2003 as the orders of the GRF, Cuttack passed in C.C. Case No. 213 of 2021 so also the order dated 17.08.2021 of the Ombudsman-I passed in C.R. Case No.118 of 2021 have been complied in letter and spirit.
7. Basing on the above submissions of both the parties the proceedings initiated under Section 142 of the Electricity Act, 2003 against the Respondent is dropped.
8. Accordingly, the present case is disposed of.

**Sd/-**  
**(S.K. Ray Mohapatra)**  
**Member**

**Sd/-**  
**(G. Mohapatra)**  
**Chairperson (Officiating)**