

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

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**Present: Shri G. Mohapatra, Officiating Chairperson**  
**Shri S. K. Ray Mohapatra, Member**

**Case No. 26/2022**

M/s. MAA Agnigangama Stone Crusher ..... Petitioner

Vrs.

The E.E (Elect.), KED, Koraput & Another ..... Respondents

**In the matter of:**      **Application under Sections 142, 146 & 149 of the Electricity Act, 2003 for non-compliance of order dated 02.05.2022 of the Ombudsman-II passed in C.R.Case No.OM(II)S-04 of 2022 arising out of order dated 23.11.2021 of the GRF, Jeypore passed in C.C.Case No.483/2021.**

**For Petitioner:**      Shri Himansu Sekhar Deo, Advocate

**For Respondents:**      Shri Prasanta Kumar Tripathy, Advocate

**ORDER**

**Date of Hearing: 31.05.2022**

**Date of Order: 31.05.2022**

Heard the Learned Counsel for both the parties through virtual mode.

2. The Petitioner has filed the instant petition seeking issuance of appropriate directions under Section 142 of the Electricity Act, 2003 by this Commission to Executive Engineer (Elec), Koraput Electrical Division, TPSODL, Koraput for its non compliance with the direction issued by the learned Ombudsman II vide order dated 02.05.2022 in CR Case No.Om(II)-S-04 of 2022 arising out of Order dated 23.11.2021 in Case No.483/2021 of GRF, Jeypore. The Learned Ombudsman II in its order dated 02.05.2022 passed the following direction:-

*“From the above version of the petitioner, it is observed that due to non-supply of power to the unit of the petitioner, the petitioners as well as her employees are facing difficulties financially. From the records submitted by both the parties, it is seen that the respondent has disconnected the power supply of the petitioner due to non-payment of Rs.12,84,155.00 up to February, 2021. The learned Advocate of the petitioner prayed for reconnection of power supply to the unit, as due to disconnection of power supply the petitioners as well as her*

*employees are suffering financially. Hence, this Authority in an interim measure, feels appropriate to direct the respondent to reconnect the power supply of the petitioner's unit immediately on receipt of Rs.4,00,000.00 from the petitioner with necessary reconnection fees. The petitioner is directed to deposit Rs.4,00,000.00 (Rupees Four Lakhs only) with the respondent along with necessary reconnection fees immediately for reconnection of his power supply.*

*Both the parties are directed to appear before this Authority on dated 06.05.2022 at 11.30 AM for further conciliation/hearing of the main case."*

3. On behalf of the Respondent, it is submitted that the order dated 02.05.2022 was passed by the Learned Ombudsman II without giving opportunity to hear them causing prejudice to the Respondent.
4. In view of such submission adverted by the parties, it appears prudent to direct the parties to pursue their grievance before the Learned Ombudsman II on 01.06.2022 since the main matter is posted to that date before the Learned Ombudsman II as submitted by the parties. The learned Ombudsman II may pass appropriate order in accordance with the law taking note of the submissions of the parties for the purpose of disposal of Interim Application afresh.
5. The petition stands disposed of with the above directions.
6. Communicate the Order to the Learned Ombudsman II as well as both the parties in course of the day.

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

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