

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

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

Case No. 40/2022

M/s. Jena Flyash Bricks Petitioner

Vrs.

The Executive Engineer (Elect), KED, Khordha, TPCODL, Cuttack..... Respondent

In the matter of: Application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 09.02.2022 of the GRF, Khurdha passed in C.C. Case No. 445 of 2022 and order dated 25.04.2022 of the Ombudsman-I passed in C.R. Case No.75 of 2022.

For Petitioner: Shri Tshar Behera, the authorized representative.

For Respondent: Shri Manoj Kumar Das, D.G.M (Elect.), KED, TPCODL, Khurdha

ORDER

Date of Hearing: 27.09.2022

Date of Order: 29.09.2022

The petitioner M/s. Jena Flyash Bricks, At/P.O: Banra, Cuttack has come up with application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 09.02.2022 of the GRF, Khordha passed in C.C. Case No.445/2022 and order dated 25.04.2022 of the Ombudsman-II passed in C.R. Case No. 75 of 2022. The learned GRF, Khurdha while disposing of C.C. Case No.445/2022 has directed the respondent as follows:-

“The respondent is directed to provide the estimate under Remunerative Scheme and give power supply to the petitioner by observing Departmental formalities and norms.

The C.C. Case No.445/2022 is thus disposed of accordingly.”

2. As the above order of the ***of the GRF, Khurdha passed in*** C.C. Case No.445/2022 was not complied by the Respondent, the petitioner herein has approached the Ombudsman-I in C.R. Case No. 75 of 2022 for compliance. The learned GRF, Khurdha while disposing of C.C. Case No.445/2022 has directed the respondent as follows:-

“ x x x . During conciliation, the authorized representative of the petitioner submitted that the OP has wrongly complied with the said order of the GRF. However, the OP is hereby directed to comply with the said order of the GRF correctly within a month hence failing which the petitioner would be at liberty to approach the Commission for redressal of his grievances in terms of provisions of Section 142 of the Electricity Act, 2003.”

3. Since the above orders of Ombudsman has not been complied by the respondent, the petitioner has approached this Commission for compliance of the same in the present case.
4. Heard the Parties at length. During hearing the Executive Engineer (Electrical), KED, TPCODL, Khurdha submits that the order dated 25.04.2022 of Ombudsman-I passed in C.R. Case No. 75 of 2022 has been complied by the respondent after getting approval from their Head Office. Therefore, the Respondent prays the Commission not to proceed further in this case under Section 142 of the Electricity Act, 2003 since the order of Ombudsman-I has been complied. The authorized representative of the petitioner has agreed with the submission of the respondent that the order dated 25.04.2022 of Ombudsman-I passed in C.R. Case No. 75 of 2022 has been complied in letter and spirit.
5. The proceeding under Section 142 is dropped as the order dated 25.04.2022 of the Ombudsman-I passed in C.R. Case No. 75 of 2022 has been complied by the respondent.
6. With the above observation, the case is disposed of.

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

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