

**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. 68/2022**

M/s. Celebration Mandap Vrs. The Executive Engineer (Elect), CDD-II, TPCODL, Badambadi, Cuttack-753001.	.....	Petitioner
	.....	Respondent

**In the matter of: Application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 07.12.2020 of the Ombudsman-I passed in C.R. Case No. 92 of 2020.**

**For Petitioner:** Shri Tushar behera, the authorized representative.

**For Respondent:** Shri Chandrabhanu Mohanty, Manager(Elect.), CDD-II, Cuttack.

**ORDER**

**Date of Hearing: 20.12.2022**

**Date of Order: 20.12.2022**

M/s. Celebration Mandap of Peyton Sahi, Cuttack has filed the present petition under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 07.12.2020 of the Ombudsman-I passed in C.R. Case No. 92/2020 arising out of Order dated 31.05.2021/10.2020 of the GRF, Cuttack in C.C. Case No. 406 of 2020 by the Respondent-E.E(Elect.), CDD-II, Cuttack, TPCODL.

2. The authorized representative of the petitioner submits that the Ombudsman-I while disposing of the C.R. Case No. 92 of 2020 has observed as follows:

*“X x x x x, Having heard the authorized representatives of the parties, it is directed that the O.P. shall comply with the No.1 direction of the GRF, Cuttack passed in the above referred case within a month hence and withdraw DPS charges as indicated above and reflect the same in the electricity bill of the consumer in the month of 01/2021.*

*Further the petitioner-consumer is directed to submit a fresh plain paper application before the O.P. for review of security deposit amounting to Rs.1,40,000/-(as admitted by both the parties regarding the deposit of the same amount by the petitioner with the O.P. at the time of taking initial electricity connection) along with declaration in such application regarding loss or misplacement of the original money receipt relating to the said security deposit with further declaration that he would not claim the said security deposit amount in future, if that the original money receipt would be traced out any point of time.*

*After submission of fresh application by the Petitioner-Consumer to the O.P., the latter shall review the security deposit of the Petitioner-Consumer as per regulatory provisions*

*and refund if applicable shall be adjusted from the outstanding/forthcoming dues of the Consumer. x x x .”*

3. Since the above order of the Ombudsman-I was not complied by the respondent, the present case has been filed by the Petitioner for compliance of order dated 07.12.2020 of the Ombudsman-I passed in C.R. Case No.92/2020.
4. The respondent submits that in compliance to the order of the Ombudsman-I passed in C.R. Case No.92/2020, the respondent has implemented the said order of the Ombudsman-I by revising the EC bill from 05/2020 to 09/2020 and after revision of the said period of EC bills of the Consumer an amount of Rs.5320.61/- has been credited to the account of the petitioner. Further, as per order of the GRF, Cuttack dated 19.10.2020, the respondent has reviewed the Security deposit as per regulatory provision and after such calculation a sum of Rs.1,25,661.00 is to be adjusted against the said account of the Petitioner-Consumer towards security deposit in subsequent month after due approval of the higher authorities. Therefore, he prays the Commission to drop the present proceeding under Section 142 of the Electricity Act, 2003 as the order of the Ombudsman-I has already been complied.
5. Heard the parties at length in the virtual mode. During the hearing the authorized representative of the Petitioner has not agreed to the compliance report submitted by the Respondent against the order passed by the Ombudsman-I in C.R. Case No. 92 of 2020.
6. Considering the above submissions of the Parties, the matter is remanded to Ombudsman-I, Bhubaneswar to verify as to whether their order has been complied in letter and spirit or not. The Ombudsman-I, Bhubaneswar is directed to take up the matter for hearing on **17.01.2023** to ascertain the status of implementation of their order with due notice to the parties concerned. The Petitioner is at liberty to approach this forum, if Ombudsman-I, Bhubaneswar finds that their order passed in C.R. Case No.92 of 2020 has not been complied with.
7. With this observation, the case is disposed of. The Registry is directed to send a copy of this order to Ombudsman-I along with the copy of the petition.

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

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