

**ODISHA ELECTRICITY REGULATORY COMMISSION
PLOT NO. 4, CHUNUKOLI, SAILESHREE VIHAR,
CHANDRASEKHARPUR,
BHUBANESWAR-751021**

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

Case No. 02/2024

M/s. Kamadhenu Plastics	Petitioner
Vrs.		
The Executive Engineer (Elect.), Baripada Electrical Division, TPNODL, Baripada, Dist.-Mayurbhanj	Respondent

In the matter of: Application under Section 142 of the Electricity Act, 2003 alleging non-compliance of order dated 28.06.2023 of the Ombudsman-II passed in C.R. Case No.53 of 2022 arising out of order dated 20.07.2022 passed by the GRF, Balasore in C.C. Case No.198 of 2022.

ORDER

Date of Hearing: 06.08.2024

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This matter has been taken up for hearing through hybrid arrangement Para-2.

2. Er. R.K.Behera, Authorized Representative of the Petitioner and Shri Kanhu Charan Sardar, Executive Engineer (Electrical), Electrical Division, Baripada along with Sri Mrutyunjay Dey, DGM(Legal), TPNODL-the Respondent herein do appear. The Report submitted by the Learned Ombudsman-II as per interim order dated 14.05.2024 of the Commission is taken on record.
3. At the outset, the Authorized Representative of the Petitioner submitted that the present petition has been filed, inter-alia, seeking execution of the order dated 28.06.2023 of the learned Ombudsman-II passed in C.R. Case No.53 of 2022 arising out of order dated 20.07.2022 passed by the GRF, Balasore in C.C. Case No.198 of 2022.
4. The Petitioner has sought the following reliefs:
 - i) to comply the order passed by the learned Ombudsman-II and issue a revised statement to the petitioner to ascertained the correctness of the revision before this Commission;
 - ii) and may pass any other order(s), direction(s), relief(s) as deem fit and proper.
5. The Report of the learned Ombudsman-II in pursuance of the interim order dated 14.05.2024 of this Commission is as follows: -

In pursuance of the order dated 28.06.2023 of the Ombudsman-II in C.R. Case No.53 of 2022, both the Authorized Representative of the Petitioner and the Respondent were present in the hearing on 26.06.2024. As the case arises out of interim order dated

14.05.2024 of this Commission to verify if the Award/Order dated 26.03.2023 of the learned Ombudsman-II passed in C.R. Case No. 53 of 2023 is fully complied with by the licensee-Respondent or not. It is observed that the Respondent has fully complied the order dated 26.08.2023 passed in C.R. Case No.53 of 2022 of the Ombudsman-II in respect of withdrawal of transformer loss and DPS and has accepted the request of Petitioner for payment of revised bill amount in suitable installments.

6. We have heard the Authorized Representative appearing on behalf of the Petitioner. The Authorized representative of the Petitioner submitted that the instant Petition may be disposed of without contest as the order dated 28.06.2023 of the learned Ombudsman-II passed in C.R. Case No.53 of 2022 arising out of order dated 20.07.2022 passed by the GRF, Balasore in C.C. Case No.198 of 2022 has already been complied with.
7. In view of the prayer of the Petitioner, the Petition is dismissed as settled.

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

Sd/-
(G. Mohapatra)
Officiating Chairperson