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ODISHA ELECTRICITY REGULATORY COMMISSION

BIDYUT NIYAMAK BHAWAN
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Present: Shri P. K. Jena, Chairperson
Shri S. K. Ray Mohapatra, Member
Shri B. Mohanty, Member

Case No. 13/2024

M/s. Satguru Metals & Power (P) Ltd., Rajgangpur, Sundargarh..... Petitioner
Vrs.

**The Executive Engineer (Elect.), TPWODL,
Rajgangpur Electrical Division,
Rajgangpur, Dist.- Sundargarh**

..... **Respondent**

In the matter of: Application under Sections 142 of the Electricity Act, 2003 alleging non-compliance of order dated 27.06.2023 of the Ombudsman-II passed in C.R. Case No.12 of 2023 arising out of Order dated 06.05.2022 of the GRF, Rourkela passed in C.C. Case No.709 of 2021.

ORDER

Date of Hearing: 15.07.2025

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This matter is taken up for hearing through hybrid arrangement.

2. Shri A.K. Sahani, the Authorized Representative of the Petitioner and Sri Akash dash, Lead Associate-Legal, TPWODL, Rajgangpur-the Respondent do appear. The Submission along with the copy of the Order dated 04.07.2025 of the Hon'ble High Court of Orissa passed in W.P.(C) No.24579 of 2024 submitted by the Respondent-TPWODL is taken on record.
3. The Petitioner- M/s. Satguru Metals & Power (P) Ltd. has filed the present petition under Section 142 of the Electricity Act, 2003 alleging non-implementation of order dated 27.06.2023 of the Ombudsman-II, passed in C.R. Case No.12 of 2023 arising out of order dated 06.05.2022 of the learned GRF, Rourkela, passed in C.C. Case No.709 of 2021.
4. The Learned GRF, Cuttack dismissed C.C. Case No.709 of 2021 on 06.05.2022 with the following observations:

“The Supplementary bill claimed by the Respondent is in accordance to the provision of law and is supported by the judgment of the Hon'ble Supreme Court. Hence, this case bears no merit and is liable to be dismissed.”

5. Being aggrieved by the above order of the learned GRF, Rourkela, the Petitioner- M/s. Satguru Metals & Power (P) Ltd. filed C.R. Case No.OM(II)-W-12 of 2023 before the learned Ombudsman-II, Bhubaneswar. The Learned Ombudsman-II by order dated 27.06.2023 directed as follows:
- “1. The Respondent is directed to revise the bills of the petitioner on the basis of the above Table-A (Column no.6). Total power consumed by the consumer from DISCOM end should not exceed 21937.780 MWh during the period of open access from December, 2014 to January,2016.
2. The Respondent is directed to withdraw the bill raised against extra power of 852.450 MWh (as per column 8 of above Table-A).
3. The Petitioner is directed to process the matter on reliability surcharge before the Learned GRF, Rourkela for necessary redressal.”*
6. The Respondent-TPWODL challenged the above order of the Learned Ombudsman-II in W.P.(C) No. 24579 of 2024 before the Hon’ble High Court of Odisha. The Hon’ble High Court by order dated 04.07.2025 while allowing the writ application remanded the matter for fresh adjudication in accordance with law by the Ombudsman-II, Bhubaneswar.
7. Heard the Parties. It is submitted by the Respondent-licensee that the order sought to be implemented by the Commission is no more existing because of the above order of the Hon’ble High Court of Orissa and hence prays the Commission to drop the proceeding. The copy of the order of the Hon’ble High Court is available in the case record where from it is evident that the order dated 27.06.2023 (*supra*) is no more in force because of the above direction of the Hon’ble Court. Hence, the Commission finds no reasons to continue with this proceeding. Accordingly, the case is dropped.

Sd/-
(B. Mohanty)
Member

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

Sd/-
(P. K. Jena)
Chairperson

