

BEFORE THE ELECTRICITY OMBUDSMAN, JHARKHAND
4th floor, Bhagirathi Complex, Karamtoli Road, Ranchi – 834001

Case No. EOJ/07/2015

JUVNL & Others Appellant(s)

Versus

M/s Khelari Cement Ltd. Respondent(s)

Present:

Shri Ramesh Chandra Prasad - Electricity Ombudsman

On behalf of the Appellant:-

Sri Rahul Kumar - Senior Counsel

Sri Prabhat Singh - Additional Counsel

On behalf of the Respondent:-

Sri Pandey Neeraj Rai - Advocate

ORDER

(Passed on this 12th day of October, 2015)

The instant Appeal has been filed by JUVNL against the interim order passed by learned Vidyut Upbhokta Shikayat Niwaran Forum (hereinafter referred to as V.U.S.N.F), Ranchi in Case No.08/2015.

The Order passed on 28/09/2015 by the learned V.U.S.N.F. reads as follows:

“To maintain the judicial braveity and belief of the litigant upon the court of law, it is essential to order for ends of justice to restore the line of the petitioner within 6 hours after observing

due formalities. Put up on 30.09.2015 for review of decision regarding the above order.”

2) It appears from the aforementioned Order that the basic issue in the instant Case is sub –judice before the Forum.

3) The electric line has been disconnected by the licensee JUVNL in contravention of direction issued by the learned V.U.S.N.F. in its order dated 28/09/2015.

4) Clause 20(3)(d) of Jharkhand State Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers and Electricity Ombudsman) Regulations, 2011 lays down that no complaint before Electricity Ombudsman shall lie unless the complaint does not pertain to the same subject matter for which any proceedings before the Commission or any authority/court of law is pending or a decree or award or a final order has already been passed by the Commission or any competent Court.

5) Now, that the pertinent issue is pending before the learned V.U.S.N.F, Ranchi which is apparent from its order dated 07/10/2015 in Case No.08/2015 therefore, any interference with the same is against the spirit of the aforementioned Clause.

6) Having heard both the parties and considering the material placed on record, I am of the view that any relief as prayed by the Appellant JUVNL can not be allowed by this Forum at this stage.

7) The Learned V.U.S.N.F, Ranchi may hear the Case No.08/2015 on day to day basis so that the instant dispute raised in respect of various component of the impugned energy bill such as

annual minimum guaranty charges, fuel surcharge and delayed payment surcharge etc, are resolved speedily within the ambit of law.

In result, therefore, the Appeal can not be entertained, and, the same stands rejected on contest. Accordingly, this Appeal is disposed off with the aforesaid direction.

Let a copy of the Order be served on both the parties.

Sd/-

Electricity Ombudsman