

Case No. 24 of 2024

Date of Hearing:30.04.2024

Date of Order:30.04.2024

The case is taken up for hearing today through hybrid arrangement (virtual/physical).

2. Shri Rabin Kishore Behera, the Authorized representative of the Petitioner and Shri S.C.Dash, Learned Counsel along with Shri Bijoy Kumar Das, S.D.O(Electrical), Duburi, TPNODL do appear. The reply filed by the Respondent-Licensee during hearing is taken on record.
3. In course of hearing, the Authorized Representative of the Petitioner submits that as per the order dated 16.11.2022 of the Learned GRF, Jajpur Road in C.C. Case No.108 of 2022, the final assessment order has not been served by the Respondent-Licensee in time with all relevant documents so as to enable the Petitioner to move to Appellate Authority and the Learned GRF has directed the Respondent-Licensee to act accordingly taking into consideration of not scrupulously following the Regulation 165 of OERC Distribution (Conditions of Supply) Code, 2019. Hence, the said assessment order has become null and void as per the order of the Learned GRF. However, the Respondent-Licensee has disconnected the power supply of the Petitioner on 05.01.2024 after demanding the assessment amount which has become null and void as per the order of the Learned GRF. He prays to allow the Petitioner to file the rejoinder to the reply submitted by the Respondent-Licensee recently and requested the Commission to direct the Respondent-Licensee to reconnect the power supply to the Petitioner till finalization of the dispute.
4. The Learned Counsel appearing on behalf of the Respondent-Licensee submits that the said order of the Learned GRF, Jajpur Road in C.C. Case No.108 of 2022 is in violation of the laws as the assessment order has been passed under Section 126 of the Electricity Act, 2003. If the Petitioner has any dispute against the said assessment order, then he should prefer an appeal against the said order before the Appellate Authority after complying with the conditions mentioned in Section 127 of the Electricity Act, 2003 read with Clause No.167 to 170 of the OERC Distribution (Conditions of Supply) Code, 2019. He submits that the power supply can be reconnected only after deposit of 50% of the assessment amount by the Petitioner.
5. After hearing the parties, we allow the Petitioner to file its rejoinder to the reply of the Respondent-Licensee by 07.05.2024 serving a copy of the same on the Respondent-Licensee and direct the Respondent-Licensee to reconnect the power supply of the Petitioner till finalization of the dispute after receipt of Rs.50,000/- from the Petitioner.
6. Post the matter on 14.05.2024 at 11.00 A.M. for hearing.

Sd/-

Member (RM)

Sd/-

Officiating Chairperson