BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION GANDHINAGAR

Petition No. 1988 of 2021.

In the Matter of:

Petition under Clause 3.46 of Consumer Grievances Redressal Forum and Ombudsman Regulations, 2019, Notification No. 2 of 2019 for non-implementation of the Order passed by the Electricity Ombudsman Ahmedabad in Case No. 24 of 2020 on the expiry of 30 days period from the date of receipt of the Order by the Respondent Executive Engineer, Division Office, Anjar, Kutch.

Petitioner	:	M/s Manaksia Coated Metals & Industries Limited
Represented By	:	Ld. Adv. Aaditya Dave
Respondent	:	Paschim Gujarat Vij Company Limited
Represented By	:	Mr. A. H. Vaghela and Mr. K. N. Vaghashi

CORAM:

Anil Mukim, Chairman
Mehul M. Gandhi, Member
S. R. Pandey, Member

Date: 22/12/2022.

DAILY ORDER

1. The matter was listed for hearing on 14.12.2022.

2. Ld. Adv. Mr. Aaditya Dave appearing on behalf of the Petitioner at the outset submitted that the SCA filed by Respondent PGVCL before the Hon'ble Gujarat High Court challenging the Orders dated 13.05.2021 and 15.03.2021 passed by the Electricity Ombudsman was listed before the Hon'ble High Court on previous day i.e. on 13.12.2022 but no stay has been granted by the court. It is further submitted that the Respondent PGVCL is neither implementing the Order passed by the Electricity Ombudsman in favour of the Petitioner nor pursuing the SCA before the Hon'ble High Court.

2.1. Ld. Adv. for the Petitioner while indicating brief conspectus of the matter submitted that the Petitioner is not only continued to be billed on the basis of deemed release

contract demand by the Respondent PGVCL but the excess amount recovered is also not refunded despite Order passed by the Electricity Ombudsman. It is further submitted that the Petitioner wants to file further submissions in the matter, which may be permitted by the Commission.

3. The representative appearing for the Respondent PGVCL responding to query regarding next date of hearing before the Hon'ble High Court submitted that as per available status of the matter the said SCA is listed in next month i.e. January .

4. We note that the SCA challenging the Orders passed by the Electricity Ombudsman preferred by the Respondent PGVCL is pending before the Hon'ble High Court of Gujarat. Ld. counsel for the Petitioner is to file further submissions. Let the same be filed. Although, the Respondent PGVCL has been directed to file their reply, if any, it is noted that the same not yet filed. Accordingly, the Respondent is provided an opportunity to file the same within two weeks' time from date of this Daily Order with copy to the Petitioner and liberty is also granted to the Petitioner to file rejoinder-in-reply, if any, with copy to the Respondent within with two weeks' time from receipt of reply from the Respondent. Moreover, considering the SCA filed by the Respondent PGVCL being sub judice before Hon'ble High Court, the matter is adjourned,.

4.1. Next date of hearing will be intimated separately.

5. Order accordingly.

Sd/-	**Sd/-**	**Sd/-**
[S. R. Pandey]	**[Mehul M. Gandhi]**	**[Anil Mukim]**
Member	**Member**	**Chairman**

Place: Gandhinagar.
Date: 22/12/2022.