



HIMACHAL PRADESH ELECTRICITY OMBUDSMAN
SHARMA SADAN, BEHIND KEONTHAL COMPLEX, SHIMLA-171002
Phone: 0177-2624525, email: ombudsmanelectricity.2014@gmail.com

In the matter of:

Provisional Complaint No. 07/2022

M/S Hateshwari Floor Mill, VPO Seema, Tehsil Rohru, District Shimla, HP-171207

- Complainant

Vs

1. Executive Director (Personal), HPSEB Ltd, Vidyut Bhawan, Shimla-171004
2. The Sr Executive Engineer, Electrical Division, HPSEB Ltd, Rohru, District Shimla, HP-171207
3. The Assistant Executive Engineer (E), Electrical Sub-Division-I, HPSEBL, Chirgaon, Rohru, District Shimla, HP-171208

- Respondents

Date: 24/09/2022 (02:30 PM)

Present for:

The Complainant: Sh. Arvind Sharma Advocate, Sh. Ashok, Sh. Hem Singh Thakur Advocate

The Respondents: Sh. Anil Kumar God Advocate, Sh. Kamlesh Saklani Law Officer, Sh. Kaku Ram JoA (IT)

Order

(Last heard on 27/08/2022)

Case called. Both parties advanced their arguments. The Counsel for the Complainant submitted a judgment in Case No. 03/2013 of HP Electricity Ombudsman decided on 08/03/2016 wherein he cited that the Electricity Ombudsman had shared the penalty of PLVC in the ration of 50:50 by Applicant and Respondent Board since the Respondent Board had failed to check the violation for a period of seven years before having pointed out by audit.

The Counsel for the Respondents also submitted a judgement of Hon'ble Supreme Court in CA No. 7235/2009 stating that being bonafide mistake the Distribution Licensee is entitled to recover the amount which is covered under Section 56(1) of Electricity Act, 2003

Further arguments were heard and concluded. **Orders Reserved.**

Given under my hand and seal of this office.



No. HPEO/(Case No. 07/2022)/2021-22- 396-99

Sanjay
Electricity Ombudsman
Dated: 24/09/2022