



HIMACHAL PRADESH ELECTRICITY OMBUDSMAN
SHARMA SADAN, BEHIND KEONTHAL COMPLEX, SHIMLA-171002
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In the matter of:

Complaint No. 25/2023

M/S Kundlas Loh Udyog, Village Balyana, PO Barotiwala, Tehsil Baddi, District Solan, HP-174103
– Complainant

Vs

1. Executive Director (Personal), HPSEB Ltd, Vidyut Bhawan, Shimla-171004.
2. Sr Executive Engineer (E), Electrical Division, HPSEB Ltd, Baddi, District Solan HP 174103.
3. Assistant Engineer (E), Electrical Sub-Divn, HPSEBL, Barotiwala, Distt. Solan HP-174103
– Respondents

dated: 05/04/2024 at 12:00 PM

Present for:

The Complainant:

The Respondents:

Order

(Last heard on 09/01/2024)

M/S Kundlas Loh Udyog, Village Balyana, PO Barotiwala, Tehsil Baddi, District Solan, HP-174103 had filed an application, received & registered on 18/12/2023, under provisions of Regulation 28 of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 against the final Orders dated 21/11/2023 passed by the Consumer Grievance Redressal Forum at Kasumpti in Complaint No. 1453/202311/33. As per record copy of the Complaint has also been sent by post on 15/12/2023 by the Complainant to the Respondents.

The matter was heard on 09.01.2024. Sh. Rakesh Bansal, the Representative for complaint informed through E-Mail dt. 09/01/2024 as under:

“due to unavoidable circumstances I will not be able to attend the proceedings in Case No. 25 of 2023 of M/s Kundlas Loh Udyog fixed for admission hearing on 09.01.2024. Therefore, I am making an endeavour to depute someone else to appear on my behalf. In addition, I have following submissions to make in respect of the today's hearing:

1. That Case No. 25 is identical to the matter in Case No. 22/2023 M/s Aggarwal Steel Industries Pvt. Ltd. versus HPSEBL, and another case i.e. Case No. 18/2023 of M/s Vardhman Ispat Udyog versus HPSEBL.
2. That the interim orders in Case No. 18/2023 was assailed by the complainant in that case before the Hon'ble High Court of Himachal Pradesh vide CMPMO No. 449/2023.
3. That the ibid matter before the Hon'ble High Court is still in progress before the court and is next listed for consideration on 12.01.2023.
4. That in the case no. 22 of 2023 of M/s Aggarwal Steel Industries Private Limited this court vide orders dated 16.10.2023 had put on hold the matter till the disposal of CMPMO No 449/2023.
5. That while the proceedings in the matter of Case No. 18/2023 are on interim stay issued by the High Court, there is nothing that stops this Hon'ble Court to admit and proceed further in the case in order to complete the pleadings till the time the matter of CMPMO 449/2023 is disposed by the Hon'ble High Court.

In view of above, I pray to this court to take the appropriate course as it may deem fit in Case No. 25 of 2023”

Sh. Manik Shethi, counsel for Complainant appeared on behalf of Sh. Rakesh Bansal and both counsel for Respondent and Complainant discussed the matter in line with the above averments and this court after listening both the parties agreed to keep the instant case on hold till disposal of CMPMO No 449/2023 by the Hon'ble High Court in the above case No. 18/2023, being both the cases of similar nature.

Now Hon'ble High Court has issued the order dt. 27/03/2024 in CMPMO No. 449 of 2023 and quashed the Interim order dt. 27/07/2023 passed by this Appellate Forum in the said review Application No. 18/2023 in Complaint No. 11/2023. In due cognizance to the above order dt. 27.03.2024 of Hon'ble High Court, this court may start with the proceedings.

The matter is listed for admission hearing on dt. 05.04.2024 at 12.00 PM or immediately thereafter.

No. HPEO/(Case No. 25/2023)/2023-24- 1889-92

Sharma
Electricity Ombudsman
Dated: 02/04/2024