



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

In the matter of:

Complaint No. 19/2025

M/S Kailash Chand (LR College), Village Jabli, (Kyar) P.O. Ouchghat, Tehsil and District Solan
-173223 (H.P).

- Complainant

Vs

1. The Executive Director (Pers.), HPSEBL, Vidyut Bhawan, Shimla-171004.
2. The Sr. Executive Engineer, Electrical Division HPSEBL, Solan, Distt. Solan (HP)-173212.
3. The Assistant Engineer, Elect. Sub-Division-III, HPSEBL, Solan Distt. Solan-173212 (HP).

- Respondents

Dated: 23/05/2025

Present for:

The Complainant: -Sh. O.C. Sharma, Advocate

The Respondents: -Sh. Kamlesh Saklani, Under Sectt. Law

-Sh. Rajesh Kashyap, Advocate

-Er. Surinder Singh, Assistant Engineer, ESD-3, Solan

(Last Heard-23/05/2025)

Case called, the matter was heard in details for admission on dt. 23.05.2025. The Complainant have filed this instant Application in terms of Regulation 28(1)(b) & 28(1)(c) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 received and registered on 06/05/2025 against the Order dated 24/09/2024 passed by the Consumer Grievance Redressal Forum at Kasumpti in Complaint No. 1413/201310/32 & non-implementation of Order dated 05/09/2023 in Complaint No. 1413/23/09.

At the very outset, the Id. Counsel for Complainant was asked to ensure supply of corrected copies of the Representation to all concerned which erroneously was attached as uncorrected draft. The Id. Counsel for Complainant ensured and thereafter started contentions with a note that the Complainant had earlier filed complaint No 07/24 before this Authority which was disposed of by passing the final order dt. 11.12.2024 with directions under para- "L" to constitute a division level committee only to validate, not to adjudicate the missing events, with one representative from Complainant side must, for prudent settlement of ambiguity without prejudice.

The Id. Counsel for Complainant further contended that the division level committee so constituted, had not even followed the directions No. 2(b), 2(c), 2(d), 3 and 5 of the Order dated 11.12.2024 of this authority in letter and spirit and as such, the alleged report dated 03.03.2025 is of no consequence and the respondents have issued bill dated 16.04.2025 to the complainant wherein a demand of Rs. 35,77,739.12 paise has been raised by levying surcharge on Rs. 35,57,630/- which is not supported by MRI data and has led to fresh cause of action resulting into filing of the present representation.

The Counsel for Respondents did not offer any comments. However, this authority after listening to the distressed averments of the Complainant at length and making a glance on the fact-finding report dt.03.03.2025 annexed at page No.188 of the representation wherein under "para g", the complainant categorically showed denial on acceptance of the report, draws inferences that in the interest of justice the validation should be universally accepted as this very part of order which was kept open for

Refused

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counting of events at their ends, looks unsettled in view of unilateral acceptance of committee report as per record.

In view of the detailed deliberations held by the Id. Counsel for Complainant, this authority for arriving at judicious platform, observes and asserts as under:

- a. that the said order dt. 11.12.2024 in complainant No.07/24 cannot be reviewed or re-adjudicated as the regulation 37 (8) provides only limited scope of review and in the instant matter the averments stand adjudicated on merit in details in exhaustive manners under Issue-1 & 2 which are self-sufficient for no further adjudications.
- b. that in the said order after complete adjudication and disposal, the respondents were directed to constitute a division level committee with one representative of the Complainant only to validate /counting of missing events and settlement thereof in terms of findings of this order adjudicated on merit at length under Issue-2.
- c. That the validation part which was kept open in this order for counting of missing events in the presence of each party at their ends, appears not to be fruitful as the Complainant still showed aggrieved averments and prayed for an opportunity on some other day for only validation /counting in the court room.

In order to avoid further litigation and in the public interest, under the ambit of Regulation 36(2) which reads as '**where the Ombudsman is guided under the principles of natural law of justice and subject to other provisions of these Regulations, the Ombudsman shall have powers to regulate its own procedure**' and Regulation-34 which provides "**Promotion of Settlement by Conciliation**", this authority honoring reservations of relevant provisions, feels it legitimate to admit the instant Representation only to the extent of validation through conciliation in terms of above provisions in the court room as prayed by the Complainant, with no further adjudications to avoid replications .

Accordingly, the matter is listed for only validation / counting of missing events in the court room on dt. 17.06.2025 at 12 P.M. The concerned Assistant Engineer is directed to appear along with detailed record which was used for validation while the divn. level committee was constituted.

Given under my hand and seal of this office.



No. HPEO/(Case No. 19/2025)/2024-25- 562-65

Cuphal
23/05/25
Electricity Ombudsman

Dated: 23.05.2025

