



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. 44/2025

M/s Orissa Metaliks Pvt. Ltd. Village and P.O (Damtal) Tehsil Indora Kangra Distt. Kangra. Pin-176403
 – Complainant

Vs

1. The Executive Director (Pers.), HPSEBL, Vidyut Bhawan, Shimla-171004.
2. The Assistant Engineer, Electrical Sub-Division, HPSEBL, Damtal, District Kangra HP.

- Respondents

Date: 07/01/2026

Present for:

The Complainant: - Sh. Viplav Sharmam, Sr. Advocate
 With

Sh. Dalip Kumar, Authorized Representative

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

-Sh. Rajesh Kashyap, Advocate

-- Er. Naresh Kumar, J.E., ESD, Damtal.

Order (Last Heard-22/12/2025)

Case called, the matter was heard. The Respondents submitted reply on dt. 19.12.2025 on the main Representation as well as the Application seeking exemption from pre-deposit which were taken on record.

The Sr. Id. Counsel for Complainant at the very outset submitted an affidavit seeking exemption for making payment for pre-deposit of 50% of the disputed amount and apprised the Court, the present status of writ petition pending before Hon'ble High Court which was taken on record. However, the said affidavit could not meet the mandatory requirements of **Limitation / pre-condition for entertaining the complaint in terms of regulation 33 (1)(c) & 33(1)(g) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013** and did not even submit proof of deposit of 50% of the disputed amount with the Respondents as directed by this court's order dt. 12/12/2025 and subsequently, non-withdrawal of case which is although on restraining Respondents from disconnection of supply but well associated with the principal case and as per affidavit, reported to be still lying pending adjudication before Hon'ble High Court.

The Id. Counsel (Under Secretary Law) for Respondents emphasized that the **Limitation / pre-condition for entertaining the complaint in terms of regulation 33 (1)(c) & 33(1)(g)** are mandatory to start with proceedings and further read out the said conditions for appraisal.

The Sr. Id. Counsel for Complainant thereafter ensured deposit of 50% amount with respondents and withdrawal of said case from Hon'ble High Court & prayed for 15 to 20 days time for furnishing. Considering this as genuine in the public interest, prayer granted.

Since the matter was admitted during hearing on dt. 12/12/2025 subject to the submission of above mandatory requirements as well as apprising this Court *through Affidavit* regarding Nil pendency of applications related to instant matter before any competent Court of Law, failure to furnish the same till date, **the admission is kept on hold till next date of hearing**. However, the directions to restrain the Respondent Board from disconnecting the electricity supply to the premises of the Complainant **are kept sustained till confirmation of Admissions, in the public interest and further course of directions in this regard shall be imparted thereafter.**

Accordingly, the Complainant is directed to furnish all above pre-requisites before next date of hearing to facilitate confirmation of Admission which is kept on hold and thereafter final arguments in the matter.

The concerned Assistant Engineer is directed to appear in the court room along with the relevant record to avoid any misconception during the course of deliberations /arguments which are subject to above and to facilitate counsel thereof as high stake is involved. Any lapse shall attract onus on individual.

Due to want of above pendency, neither the admission could be confirmed nor the final arguments could be conducted. In view of above and to curb further delay, the matter is listed for Admission/final arguments on dated 07.03.2026 at 12:00 PM or immediately thereafter with further directions to the complainant to submit Rejoinder if any or otherwise failure to furnish the above prerequisites, the matter shall be disposed as dismissed with liberty to the Complainant to file afresh after furnishing the same as the sufficient time to deal with all above pendency stands granted to the Complainant.

The order is also placed at site as well as conveyed telephonically for the convenience of concerned.

Given under my hand and seal of this office.

Electricity Ombudsman

No. HPEO/(Case No. 44/2025)/2024-25-

1095-97

Dated: 07/01/2026

