



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2107 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition filed pursuant to the Order dated 27.05.2024 in Writ Petition No. WRIT-C No. 18176 of 2024, Shashi Bhushan Singh Vs. State of UP & Ors,

AND

IN THE MATTER OF

Shashi Bhushan Singh,

Prop. Charaiweti Agro Farms R/o. Katanwar Road, Near Belwa Chungi, Padrauna, Kushinagar-274304.

..... Petitioner

VERSUS

Executive Engineer,

Uttar Pradesh Power Corporation, Vidyut Vitran Khand, Padrauna, Kushinagar-274304.

.....Respondent

THE FOLLOWING WERE PRESENT

None

ORDER

(DATE OF HEARING: 05.11.2024)

1. The Petition has been filed by the Petitioner pursuant to the Order dated 27.05.2024 passed by Hon'ble High Court in Writ Petition No. WRIT-C No. 18176 of 2024.

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2. It has been submitted that the Petitioner had applied for a 10 kW electricity connection for poultry farming in EDD-Padrauna, Kushinagar, U.P. As per the submission, the connection was energized on 25.11.2018 for which the electricity bills were raised from 25.11.2016 under LMV-2 tariff.
3. It has been further submitted that the Petitioner aggrieved by the faulty billing, approached the Consumer Grievance Redressal Forum, Gorakhpur, which issued an Order dated 19.01.2021 for revising the bills as per the meter reading from the date of energization i.e. 25.11.2018 in agricultural tariff i.e. LMV-5 tariff/rate schedule.
4. It has also been submitted that the Petitioner approached the 'Electricity Ombudsman' for action under Section 142 of the Electricity Act, 2003 for non-compliance of the Order of the CGRF, Gorakhpur. The 'Electricity Ombudsman' issued an Order dated 08.02.2023 in case No. C-100/2022 wherein it was ordered that Respondent Executive Engineer would revise the Petitioner's electricity bills from LMV-2 to LMV-6 tariff category.
5. As per the submission made, the Petitioner aggrieved by the Order of the 'Electricity Ombudsman' approached Hon'ble High Court through Writ Petition No. WRIT-C No. 18176 of 2024 wherein, during the hearing it was submitted by the Respondent Executive Engineer that change of tariff category falls under the jurisdiction of Electricity Regulatory Commission and subsequently an Order dated 27.05.2024 was passed by Hon'ble High Court.
6. Accordingly, prayers have been made by the Petitioner to direct the Respondent to revise the electricity bills of the Petitioner from LMV-6 category to LMV-5 category, in compliance to the Order of CGRF, Gorakhpur dated 19.01.2021 and the Order dated 27.05.2024 passed by the Hon'ble High Court in Writ Petition No. WRIT-C No. 18176 of 2024. The Petitioner has further prayed to direct the Respondent to adjust the excess payment of Rs. 1,96,095/- that has been made by the Petitioner and also to direct Respondent to give compensation of Rs. 15,26,340/- to the Petitioner, with interest, as provided in Section 43(3) of the Electricity Act, 2003.

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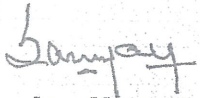


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7. The Petitioner was not present on the date of hearing before the Commission. The Commission provides one more opportunity to the Petitioner, to pursue the matter, before admitting the Petition.

8. The next date of hearing is scheduled for 30.01.2025.


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 21 .11.2024



