

BEFORE THE VIDYUT OMBUDSMAN

Present
K.Sanjeeva Rao Naidu
Vidyut Ombudsman

Dated: 25.01.2011

I.A.No.2 of 2010
in
Appeal No. 43 of 2010

Between

Sri S.Sanjeeva Rao
S/o.Dhorayya,
Samanthulavari Street,
Yeleswaram (M), EG Dist.

... Appellant

And

1. Assistant Engineer / operation / Jaggampeta
2. Assistant Divisional Engineer / Operation / Jaggampeta
3. Divisional Engineer/Operation/ Jaggampeta
4. Assistant Accounts Officer/ERO /Jaggampeta

....Respondents

The appeal / representation dated 28.12.2010 of the appellant has come up for final hearing before the Vidyut Ombudsman at Visakhapatnam on 12.11.2010 in the presence of Sri S.Narasimha Rao, counsel for the appellant , Sri S.Sanjeeva Rao, appellant present and Sri P.Trinadha Rao, ADE/OJaggampeta and Sri K.Sundara Rao, AAO/ERO/Jaggampeta present for the respondents and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following

AWARD

The appellant filed this petition to revise the order dt.23.11.2010 that this authority ordered to pay penalty for the failure of the respondents in giving

service connection but the said amount is very meager and it did not consider the loss per acre at Rs.15000/- sustained due to the failure of the crop and requested this authority to review its order and to pay sum of Rs.500/- per day as the failure was due to the non-supply of power to his borewell and to pass award on those lines.

2. This review petition is numbered as I.A.No. 2 of 2010 and posted for hearing at Visakhapatnam on 12.01.2011. The counsel for the appellant as well the appellant present before this authority and requested to review its own order by enhancing the amount from Rs.10/- per day to Rs.500/- per day.

3. Now, the point for consideration is, “whether the appeal filed by the appellant for review the order dt.23.11.2010 is sustainable? If so, on what grounds?”

4. There is no provision as such either in the Regulation or in the Act to review its own order by Vidyut Ombudsman. If the award passed by the Forum is meager, he should have filed an appeal on the quantum. But he did not file appeal on the quantum; but filed on the ground that the order of the Forum was not complied. He cannot raise a new plea in the review petition. If at all if there is any grievance on the quantum or on the damage or delay in giving service connection after the order passed by the Vidyut Ombudsman, he is at liberty to move the Forum once again, if the cause of action on any one of the above grounds is survived.

5. Hence, the petition filed by the petitioner is not sustainable under law and the same is liable to be dismissed.

6. In the result, this petition is dismissed. No order as to costs.

This order is corrected and signed on this day of 25th January , 2011

VIDYUT OMBUDSMAN