



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV Substation, Beside Hyderabad Boat Club
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN**

WEDNESDAY THE NINTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

C.M.P. No. 22 of 2023-24

in

Appeal No. 26 of 2021-22

Between

Sri Palabatla Shiv Kumar, s/o. Sri P. Pandurangam, aged about (51) years,
r/o. H.No.18-397, Sy No. 263, Pargi Road, Shadnagar, Farooq Nagar
Municipality, Ranga Reddy District - 509 217. Cell: 9866633081/7036205211.

.....Petitioner / Appellant

AND

1.The Assistant Engineer / Operation /Shadnagar / TSSPDCL / Ranga Reddy
District - 509 216.

2.The Assistant Divisional Engineer / Operation / Shadnagar / TSSPDCL /
Ranga Reddy District - 509 216.

..... Respondents / Respondents

This petition is coming on before me for final hearing today in the presence of Sri B.Ravinder Prasad Srivastava, authorised representative of the appellant and Sri M.S.Chandra Mouli- JAO/HT, representing the respondents and having stood over for consideration till today, this Vidyut Ombudsman passed the following:

ORDER

This petition is registered by the petitioner as per Clause 3.42 of Regulation 3 of 2015 of Hon'ble Telangana State Electricity Regulatory Commission for compliance of the Award passed in Appeal No. 26 of 2021-22

dt.06.08.2022 of this Authority, by the Licensee-respondents.

2. This Authority in the said Award has passed the following order:-

“In the result, the appeal is allowed, without costs. The respondents are directed to release a new Service Connection to the appellant within one month from the date of receipt of the certified copy of this Award”.

3. In the written reply submitted by respondents No.2 it is stated that they are preferring Writ Appeal before the Hon’ble High Court against the order passed in W.P.No 42000 of 2022.

4. Heard both sides.

5. The point for consideration is, whether there are sufficient grounds to close the petition?

POINT

6. As seen from the record, aggrieved by the impugned Award, the respondents have preferred W.P.No.42000 of 2022 before the Hon’ble High Court. That Writ Petition was dismissed. Now the respondents have filed acknowledgements issued by the Hon'ble High Court to show that the respondents have preferred Writ Appeal against the order in W.P.No 42000 of 2022. At this stage it is necessary to refer Clause 2.37 of Regulation 3 of 2015 which is read as follows:-

“The Forum may reject the grievance at any stage under the following circumstances:

a) Where proceedings in respect of the same matter or issue between the same Complainant and the Licensee are pending

before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority as the case may be;”

In view of the above Clause of the Regulation referred to above, I hold that there are no sufficient grounds to direct the respondents to implement the Award passed by this Authority in Appeal No. 26 of 2021-22 dt.6.08.2022 and the petition is liable to be closed.

RESULT

7. In the result, the petition is closed.

A copy of this Award is made available at <https://vidyutombudsman-tserc.gov.in>.

Typed to my dictation by Office Executive-cum-Computer Operator, corrected and pronounced by me on this the 9th day of August 2023.

Sd/-

Vidyut Ombudsman

1. Sri Palabatlal Shiv Kumar, s/o. Sri P. Pandurangam, aged about (51) years, r/o. H.No.18-397, Sy No. 263, Pargi Road, Shadnagar, Farooq Nagar Municipality, Ranga Reddy District - 509 217. Cell: 9866633081/7036205211.
2. The Assistant Engineer / Operation /Shadnagar / TSSPDCL / Ranga Reddy District - 509 216.
3. The Assistant Divisional Engineer / Operation / Shadnagar / TSSPDCL / Ranga Reddy District - 509 216.