

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9
No. CGRF/Complaint No. 2216/2/21/02 **Dated:-**

Complaint No.:- 2216/2/21/02
Date of Admission:- 02.06.2021
Quorum:- Dr. M.G. Sharma, Chairman.
Er. Vikas Gupta, Member.
Sh. K.S Dhaulta, Member.

M/s Aggarwal Steel Ind. Pvt. Ltd.,
Patch No. 1, Phase-2,
Ind. Area Gwalthi-
District Bilaspur (HP)-174201

Complainants

V/s.

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

Respondents

Final hearing:-

24.09.2021

Present for:-

Complainant	1. Rakesh Bansal, Authorized Representative
Respondent	1. Sh. Anil Kumar God, Advocate

Date of Decision:-

24.09.21

ORDER

1. The instant complaint was listed for hearing today. The parties filed their reply and rejoinder thereof. The briefly stated main relief in the complaint is that the respondents be directed to immediately process and release the temporary connection of 19KW after completion of the coded formalities in view of Regulation 26(5) of the HPERC (CGRF & Ombudsman), Regulations 2013, which provides that the Forum shall pass orders within 15 days of filing of grievance.
2. The case heard. The Respondent Board placed on record today an interim order dated 18.08.2021 passed by the Hon'ble High Court in CWP No. 3118 of 2021, whereby the Petitioner/Complainant has been directed to deposit an amount of Rs.2,72,49,250/- with the Respondent within a period of four weeks from today. On deposit the Respondent shall ensure electricity supply to the petitioner subject to compliance of other codal formalities. It is further clarified by the Hon'ble High Court that the said deposit will be subject to further orders of this Court.
3. The pending CWP as apprised by the Respondent Board has been filed by the complainant against Respondent Board. It is apparent from the above referred order dated 18.08.2021 of the Hon'ble High Court, that the Complainant/Petitioner has already approached the Court on the similar issue i.e., the one which is being raised before this Forum by way of the present complaint. The CGRF & Ombudsman Regulations, 2013, under rule 19(a) clearly bar the Forum to entertain complaint wherein the matter is sub-judice before the Court between the parties. Further it appears from the conduct of the complainant that it is attempting to abuse the process of law and to circumvent the mandatory procedure and requirement of law.
4. At this stage the Ld. Counsel for the complainant made a prayer to withdraw the present complaint, in view of the interim directions dated 18.08.2021 passed in CWP No. 3118 of 2021 by Hon'ble High Court and pending litigations on the similar matter before the Hon'ble High Court. The prayer of the complainant

allowed. The instant complaint registered as complaint No.2216/2/21/06 by the complainant is dismissed as withdrawn on the request of Ld. Counsel for complainant.

5. Parties are left to bear their own costs. Announced in the presence of the parties present today on 24.09.2021 at Shimla.

The file is consigned to the record along with original copy of the order. The certified copy of order be kept in safe custody in the folder of order. Certified copies of this order be supplied to all parties.

Place: - Shimla

Dated: -24.09.21

-Sd-
(K.S.Dhaulta)
(Member)

-Sd-
(Vikas Gupta)
(Member)

-Sd-
(M.G.Sharma)
(Chairman)

Notice

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.

No. CGRF/Complaint No. 2216/2/21/02

Registered

Dated:-

M/s Aggarwal Steel Ind. Pvt. Ltd.,
Patch No. 1, Phase-2,
Ind. Area Gwalthi-
District Bilaspur (HP)-174201

Complainants

V/s.

HPSEBL & Others.

Respondents

Complaint No. 2216/2/21/02

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

Respondents

The Certified copy of final order dated 24.09.2021 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/intimated within one month after the receipt of order in the office.

DA:-As above.

Secretary,
Consumers Grievances Redressal Forum,
HPSEBL, Kasumpti Shimla-9.