

D-814

BEFORE THE ELECTRICITY OMBUDSMAN

9/2, 6th Floor, Mahalakshmi Chambers, M.G Road, Bangalore – 560 001

**Present: B.N.Krishnaiah
Electricity Ombudsman**

Case No.OMB/G/G-254/2016

Dated : 29.12.2016

Sri Shaik Taimur
S/o Abdul Rahman,
C/o Sarmast Electricals,
Qamarul Islam Colony,
Near Akbari Masjid,
Kalaburgi – 585 104

... Appellant

(By Sri Ilyas M Sarmast, Authorised Representative)

V/S

1. The Assistant Executive Engineer (EI),
O & M, City sub-division 2,
GESCOM, Old Jewargi Road,
Kalburgi

(Party in person)

2. The Chairperson
CGRF & Superintending Engineer,
O & M Circle, GESCOM,
Kalburgi.

... Respondents

1. This is an appeal under clause 21.02 of KERC (CGRF & Ombudsman) Regulations, 2004 against the orders passed by CGRF, GESCOM, Kalaburgi dated 10.02.2016.
2. The appeal is filed claiming compensation for the delay in sanctioning the power as per the provisions of KERC (Licensees Standards of Performance) Regulations, 2004.
3. Comments were called vide letter dated 29.03.2016 from the respondents and the AEE has submitted reply by letter dated 14.09.2016.
4. Both the appellants and the respondents were informed vide letter dated 01.07.2016 regarding availability of sub-section 20(1) of KERC (CGRF & Ombudsman) Regulations, 2004.
5. The CGRF in its order dated 10.02.2016 has ordered that *“There is delay in preparation of estimate by Section Officer Unit-III, CSD-II, Kalaburgi. He has been warned not repeat such things in future. Since the applicant withdrawn the complaint the case is disposed off”*.
6. At the time of hearing the AEE has stated that the complaint before the CGRF was withdrawn. The authorised representative denied the same and submitted that he has not given any representation for withdrawing the complaint before the CGRF. However, the CGRF has observed that there was delay in preparation of the estimate and even has warned the Section Officer to not to repeat the same in future.
7. The written and oral submissions made by both the parties perused. Though the AEE says that the appellant has withdrawn the complaint before

the CGRF, he has failed to produce the copy of the same. The Appellant says he has not withdrawn.

8. Hence, the matter is remanded to CGRF with a direction to re-examine the case and find out whether the complainant has filed a written request to withdraw the complaint, and pass order as per KERC (Licensees Standards of Performance) Regulations 2004.

Sd/-

(B.N. Krishnaiah)
Electricity Ombudsman

To :

1. Sri Iliyas M.Sarmast, "Bait Al-Omer", Qamarul Islam Colony, Kalburgi – 585 104
2. The Assistant Executive Engineer (EI), O & M, City sub-division 2, GESCOM, Old Jewargi Road, Kalburgi
3. The Chairperson, CGRF & Superintending Engineer, O & M Circle, GESCOM, Kalburgi.
4. Managing Directors of ESCOMs.
5. PS to Hon. Chairman, KERC
6. PS to Hon. Member (A), KERC
7. PS to Hon. Member (M), KERC
8. PS to Secretary, KERC
