

**IN THE JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
AT RANCHI**

Case No. 27 of 2024

M/S Ramkrishna Forgings Limited Petitioner

Versus

Jharkhand Bijli Vitran Nigam Ltd. (JBVNL)..... Respondent

**CORAM: HON'BLE MR. MAHENDRA PRASAD, MEMBER (LAW)
HON'BLE MR. ATUL KUMAR, MEMBER (TECHNICAL)**

For the Petitioner : Mr. Dhananjay Kumar Pathak, Advocate
For the Respondent : Mr. Manoj Kumar, Sr. S.C. & Mr. Utpal Kant
A.C. to Mr. Mohan Kumar Dubey, S.C. JBVNL

ORDER

Date – 7th October, 2025

1. The Petitioner- M/S Ramkrishna Forgings Limited has filed the instant petition under Clause 26 of the Jharkhand State Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievance of the Consumers and Electricity Ombudsman) Regulations, 2020 read with section 142 and 146 of the Indian Electricity Act, 2003 seeking appropriate action against the Respondents on account of non-compliance of the specific order passed by learned VUSNF, Chaibasa vide order dated 06.03.2024 passed in case no. 06/2022.
2. The Petitioner M/S Ramkrishna Forgings Limited in its petition has prayed for the following reliefs:
 - a) For issuance of the notice to the respondents as to why not the necessary directions be issued against the respondents in terms of Section 142 of the Indian Electricity Act, 2003 for non-compliance of the order/direction dated 06.03.2024 passed by the learned Forum in case no. 6/2022 and after hearing the parties be further pleased to pass necessary direction in the interest of justice and facts and circumstances of the case.
 - b) For passing such orders or orders, as deem fit and proper in the interest of justice.

The factual matrix of the case as submitted by the parties may be appreciated in the following manner:-

3. Learned Counsel for the Petitioner submitted that the Petitioner approached the learned VUSNF, Chaibasa vide case no. 06/2022 with the following prayers,
 - a) For showing the Respondents cause as to why and under what circumstances though they have revised the wrongly raised and realized energy bill and are adjusting the excess realized amount but have not calculated and paid the interest upon the excess released amount in terms of clause 10.7.4 of the supply code regulation 2015
 - b) For an order commanding upon the Respondents to immediately and forthwith calculate and pay the interest on excess realized amount, which is being adjusted in installments, in terms of clause 10.7.4 of the Supply Code Regulation, 2015.
4. It was submitted that the learned VUSNF, after detailed hearing from both the sides, by order dated 6.03.2024 passed in case no. 06/2022 allowed the application of the petitioner directing JBVNL to adhere to the provisions laid down in Clause 10.7.4 of JSERC, Supply Code Regulation 2015 strictly and calculate/adjust interest over excess realized amount within one month positively.
5. Learned Counsel submitted that after the disposal of the case no. 06/2020 they represented before the GM-Cum-CE, Jamshedpur with a copy to ESE, Jamshedpur vide letter dated 27.03.2024 and requested for recalculation of payable interest in terms of Clause 10.7.4 as directed by the learned VUSNF.
6. It was submitted that in spite of the specific direction of the learned Forum the respondents did not take any step upon the representation dated 27.03.2024 submitted by the petitioner. Hence, the petitioner by way of reminder again requested the respondents vide their letter dated 16.05.2024 requesting therein to refund/ adjust the payable interest in terms of Clause 10.7.4. However, the respondents are sitting idle and are not taking any step in compliance to the specific order passed by Hon'ble Forum.
7. It was submitted that the respondents are duty bound to comply with the order passed by the learned Forum. That non-compliance of the order of the Forum deems to be the violation of the Regulations issued by the Commission and hence the same requires appropriate action by the Commission. Clause 26 of JSERC (Guidelines for establishment of Forum for redressal of grievances of the consumers and Electricity

Ombudsman) Regulation 2020 specifically deals with the circumstances as in the present case.

8. Learned Counsel pointed out that the non-compliance of the order of the Forum deems to be the violation of the Regulations issued by this Hon'ble Commission and hence the same requires appropriate action by this Hon'ble Commission
9. Learned Counsel for the Petitioner in its conclusion prayed for issuance of direction upon the Respondent for compliance of the order dated 06.03.2024 passed by the learned Forum, Chaibasa.
10. Learned Counsel for the Respondent submitted that the Respondent has filed a Writ Petition before the Hon'ble High Court of Jharkhand vide W.P. (C) no. 37 of 2025 challenging the order of the learned VUSNF, Chaibasa.
11. It was submitted that the Hon'ble High Court of Jharkhand by order dated 06.03.2025 has dismissed the aforesaid writ as withdrawn with a liberty to Respondents herein to prefer an appeal before the Electricity Ombudsman against the aforesaid judgement passed by the learned VUSNF, Chaibasa.
12. Learned Counsel for the Respondent submitted that the Respondent have preferred a C.M.P application before the Hon'ble High Court praying therein to recall the order dated 06.03.2025 passed in W.P. (C) no. 37/2025 and the same is registered as C.M.P. filing no. 4436/2025 and it is likely to be taken up by the Hon'ble High Court in the near future.
13. Learned Counsel for the Petitioner replied that the Respondent with a purpose to linger the matter before this Hon'ble Commission and to avoid serious action in terms of Section 142 of the Electricity Act, 2003, the Respondents had much belatedly preferred the writ petition bearing WPC no. 37 of 2025 challenging the order passed by the learned VUSNF, which has subsequently dismissed as withdrawn by order dated 06.03.2025 and now again the C.M.P. has been filed on 22.04.2025 for recalling the said order dated 06.03.2025 which is still defective and pending at the stage of Lawazima. Learned Counsel for the Petitioner reiterated that the respondents are deliberately lingering the matter and in this way flouting the specific direction of the learned VUSNF.

Commission's Observations and findings

14. The Commission has considered the submission made by the parties

and perused the materials available on records.

15. The Commission noted that Clause 26 of the JSERC (Guidelines for establishment of Forum for redressal of grievances of the consumers and Electricity Ombudsman) Regulation 2020 reads as under: -

Clause 26 – Non-compliance of orders of CGRF/ Ombudsman - The non-compliance of order of CGRFs/ Ombudsman, as the case may be, shall be deemed to be a violation of these Regulations and will be liable for appropriate action by the Commission Under Sec. 142 or Sec. 146 read with Sec. 149 of Electricity Act, 2003.

16. The Commission observes that the Respondent in the garb of legal remedies are lingering the matter and are not complying with the orders and directions of the learned VUSNF, Chaibasa given vide order dated 06.03.2024 in case no. 06/22

Accordingly it is ordered as,

ORDER

17. Considering the facts and circumstances of the case, the prayers of the petitioners are allowed. The Respondents are directed to comply with the order dated 06.03.2024 passed by the learned VUSNF in case no. 06/2022 within two months, failing which proceedings under section 142 of the Electricity Act, 2003 shall be initiated against the erring officers including Executive Director (C&R) of JBVNL.
18. Accordingly, the petition stands disposed off with the aforesaid directions.

Sd/-
Member (Tech.)

Sd/-
Member (Law)