

## **THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

The Executive Engineer,  
Electricity Distribution Division (Urban)  
Uttarakhand Power Corporation Ltd.  
Civil Lines, Roorkee, Distt. Haridwar, Uttarakhand.

Vs

M/s Hotel Urvashi  
494, Civil Lines, Opp. Bus Stand,  
Roorkee, Distt. Haridwar, Uttarakhand

Representation No. 19/2018

### **Order**

Date: - 08.08.2018

Being aggrieved by order dated 23.07.2010 of the Consumer Grievance Redressal Forum, Garhwal zone in complaint no. 64/2009, petitioner, Executive Engineer, Electricity Distribution Division (Urban), Uttarakhand Power Corporation Ltd (UPCL) filed an appeal dated 21.05.2018 under directions dated 05.04.2018 of Hon'ble High Court in WPMS no. 1463 of 2011.

2. Licensee, if aggrieved with order of Forum is entitled to seek redress as per provisions of Article 226/227 of the Constitution of India. In the instant case, Licensee UPCL approached Ombudsman under aforesaid directions of Hon'ble High Court. Their appeal/representation was admitted after condonation of delay and proceedings were commenced. Meanwhile respondent M/s Hotel Urvashi filed objections against condonation of delay and maintainability of the appeal by Ombudsman. Their objections were set aside vide Ombudsman order dated 20.06.2018 and respondent were directed to submit their written statement on or before 27.06.2018, which was not submitted by them despite two additional opportunities. They filed an application dated 20.07.2018 informing that they have approached the Hon'ble High Court for review of Hon'ble High Court order dated 05.04.2018 and requested further time for submission of written

statement or otherwise till Hon'ble High Court orders are available in their review application.

3. Respondent have now submitted an affidavit enclosing a certified copy of Hon'ble High Court order dated 18.07.2018, in their review application 843 of 2018, wherein the Hon'ble High Court have allowed their review application and have recalled their judgment dated 05.04.2018.
4. In view of the aforesaid situation in the case and Hon'ble High Court order dated 18.07.2018, proceedings pending before Ombudsman have been rendered infructuous. It is therefore ordered that the case file be closed without any order on merits.

Dated: 08.08.2018

(Vibha Puri Das)  
Ombudsman