

**COURT OF THE LOK PAL (OMBUDSMAN),
ELECTRICITY, PUNJAB,
PLOT NO. A-2, INDUSTRIAL AREA, PHASE-1,
S.A.S. NAGAR (MOHALI).**

APPEAL No. 45/2021

Date of Registration : 29.04.2021

Date of Order : 25.05.2021

Before:

**Er. Gurinder Jit Singh,
Lokpal (Ombudsman), Electricity, Punjab.**

In the Matter of:

M/s. Khanna Paper Mill,
NH-3, Bypass,
Opposite Metro Cash and Carry,
Amritsar.

Contract Account Number: 3002807928

...Appellant

Versus

Additional Superintending Engineer,
DS East Division,
PSPCL, Amritsar.

...Respondent

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 24.03.2021 of the Consumer Grievances Redressal Forum (Forum), Ludhiana in Case No. CGL-294/2020, deciding that:

“The account of the Petitioner be overhauled as per the conclusion arrived at Sr. No. (xvi) Above, after getting it pre-audited from AO/ Field.”

Sr. No. (xvi) is reproduced as below:-

(xvi) Keeping in view the above, Forum came to unanimous conclusion as under:

- 1. "As the Petitioner has made payment of bill dated 09.08.2018 amounting Rs. 48567820/-, well within grace period, so no LPS/interest is leviable on this amount.*
- 2. The excess installment of Rs. 1010592/- has already been refunded, but as the Petitioner was not satisfied, so the same be got verified from AO/Field & accordingly be intimated to the Petitioner.*
- 3. As admitted by the Respondent, the fixed charges as per CPP/Co-Gen Industry, be charged and the account/bills be corrected accordingly.*
- 4. The amount of Rs. 73874/- has already been refunded to Petitioner in energy bill dated 11.02.2019, which includes the disputed amount of Rs. 60000/- (approx.) claimed by Petitioner, but as the Petitioner was not satisfied, so the same be got verified from AO/Field.*
- 5. As the accounting system/chronology of debits/credits, is a complex to understand for a common person like Petitioner, the total account/bills of the Petitioner from Jan/2018 to Aug/2020 be got pre-audited from AO/Field and amount be*

charged/refunded and Petitioner be intimated accordingly.”

2. A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 29.04.2021 i.e within the stipulated period of thirty days of receipt of the decision dated 24.03.2021 of the CGRF, Ludhiana in Case No. CGL-294 of 2020 by the Appellant statedly on 30.03.2021 through e-mail and on 06.04.2021 through Regd. Post. The Appellant had already deposited whole of the disputed amount of ₹ 29,56,249/-. Therefore, the Appeal was registered and copy of the same was sent to Addl. Superintending Engineer/ DS East Division, Amritsar for sending written reply/ parawise comments with a copy to the office of the CGRF, Ludhiana under intimation to the Appellant vide letter nos. 715-717/OEP/A-45/2021 dated 29.04.2021.
3. With a view to adjudicate the dispute, a hearing was fixed in this Court on 25.05.2021 at 11.30 AM and an intimation to this effect was sent to both the parties vide letter nos. 778-79/OEP/A-45/2021 dated 12.05.2021.
4. In response to letter no. 717/OEP/A-45/2021 dated 29.04.2021; the Addl.S.E, DS East Division, PSPCL, Amritsar, submitted a reply vide Memo No. 4592 dated 17.05.2021, intimating that

refund of ₹ 24,08,911/- had been got pre-audited and would be reflected in the Appellant's bill for 5/2021 in compliance to the decision dated 24.03.2021 of the Forum. It was also mentioned in the aforesaid Memo that the Appellant had been informed accordingly by the SDO/DS, East Sub Division, PSPCL, Amritsar vide letter no. 2233 dated 10.05.2021.

5. Thereafter, the Respondent was requested, vide letter no. 784/OEP/A-45/2021 dated 17.05.2021, to send written reply/parawise comments to the Appeal as already requested. A copy of this letter was endorsed to the Appellant vide letter no. 785/OEP/A-45/2021 dated 17.05.2021. Subsequently, Addl.S.E /DS, East Division, Amritsar was requested, vide letter no. 824/OEP/A-45/2021 dated 24.05.2021 to submit the written reply/parawise comments by 24.05.2021 positively alongwith the request to attend the hearing scheduled for 25.05.2021. A copy of the aforesaid letter was endorsed to the Appellant vide Endst. No. 825/OEP/A-45/2021 dated 24.05.2021.
6. The Appellant, vide its Memo No. 70 dated 24.05.2021 sent through e-mail, stated, inter-alia, that the refund of ₹ 24,08,911/- has been posted in the bill no. 1003312913 dated 24.05.2021. The Appellant added that permission may be given to withdraw the present Appeal and the appeal case be closed.

7. The Addl.S.E, DS East Division, PSPCL, Amritsar, vide Memo No. 4881 dated 25.05.2021 received through e-mail, stated inter-alia as under:

“ਆਪਜੀ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਪ ਮੰਡਲ ਅਫਸਰ ਈਸਟ ਕਮ ਨੇ ਆਪਨੀ ਰਿਪੋਰਟ ਵਿੱਚ ਲਿਖਿਆ ਹੈ ਕਿ A-45 ਖੰਨਾ ਪੇਪਰ ਮਿੱਲ ਬਨਾਮ ਪੀ.ਐਸ.ਪੀ.ਸੀ.ਐਲ ਦੇ ਨਾਮ ਤੇ ਆਪ ਦੀ ਕੋਰਟ ਵਿੱਚ ਕੇਸ ਚੱਲ ਰਿਹਾ ਹੈ ਸੀ.ਜੀ.ਆਰ.ਐਫ ਫੋਰਮ ਲੁਧਿਆਣਾ ਵਿਖੇ ਕੇਸ ਨੰਬਰ CGL 294/2020 ਮਿਤੀ 24.3.2021 ਨੂੰ ਹੋਏ ਫੈਸਲੇ ਮੁਤਾਬਿਕ ਖੰਨਾ ਪੇਪਰ ਮਿੱਲ ਦੇ ਖਾਤੇ ਵਿੱਚ 2408911.00/- ਰੁਪਏ ਦੀ ਰਕਮ ਦਾ ਪ੍ਰੀ-ਆਡਿਟ ਕਰਵਾ ਕੇ ਰਿਫੰਡ ਪਾ ਦਿੱਤਾ ਗਿਆ ਹੈ ਇਸ ਤਰਾਂ ਮਾਨਯੋਗ ਸੀ.ਜੀ.ਆਰ.ਐਫ ਫੋਰਮ ਲੁਧਿਆਣਾ ਵਲੋਂ ਕੀਤਾ ਫੈਸਲਾ ਲਾਗੂ ਕਰ ਦਿੱਤਾ ਗਿਆ ਹੈ

ਖੰਨਾ ਪੇਪਰ ਮਿੱਲ ਲਿਮਟਡ ਵਲੋਂ ਪੱਤਰ ਨੰਬਰ 70 ਮਿਤੀ 24.5.2021 ਮੁਤਾਬਿਕ ਉਹ ਇਸ ਕੀਤੇ ਰਿਫੰਡ 2408911/- ਰੁਪਏ ਨਾਲ ਸਹਿਮਤ ਹਨ ਅਤੇ ਉਹ ਇਸ ਕੇਸ ਨੂੰ Withdraw ਕਰ ਰਹੇ ਹਨ। ਕਰੋਨਾ ਕਾਲ ਦੇ ਮਦੇਨਜ਼ਰ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਇਹ ਕੇਸ ਏ-45 (2021) ਦੀ ਹਿਅਰਰਿੰਗ ਨੂੰ ਕਲੋਜ਼ ਕੀਤਾ ਜਾਵੇ ਜੀ।”

8. The Court observed that refund of ₹ 24,08,911/- has been given in the bill dated 24.05.2021 (as per copy supplied by the Appellant itself vide e-mail dated 24.05.2021) after pre-audit in compliance to order dated 24.03.2021 of CGRF, Ludhiana in Case No. CGL-294 of 2020. It is also observed that both the Appellant and the Respondent have requested in writing to close the case. Therefore, the Court is inclined to accept the

written requests of both the parties and allow the Appeal Case to be withdrawn.

9. The Appeal is disposed of accordingly.

May 25, 2021
S.A.S. Nagar (Mohali)

(GURINDER JIT SINGH)
Lokpal (Ombudsman)
Electricity, Punjab.

