

**BEFORE THE VIDYUT OMBUDSMAN**

Present

**K.Sanjeeva Rao Naidu  
Vidyut Ombudsman**

Dated: 30 -07-2011

**IA No. 3 of 2011**

**In**

**Appeal No. 12 of 2011**

**Between**

Sri Alluri Bhaskara Rao,  
S/o. Naidu  
Pullalapadu (V), Nallajerla (M)  
WG Dist – 112.

**... Appellant**

**And**

1. Asst.Engineer/ operation/Nallajerla/WG Dist.
2. Asst.Divisonal Engineer/operation/T.P.Gudem
3. Divisional Engineer/operation/Eluru

**....Respondents**

The appeal / representation filed dt.28.06.2011 (received on 01.07.2011) of the appellant has come up for final hearing before the Vidyut Ombudsman on 18.07.2011 at Visakhapatnam. The appellant being absent and Sri P.Omkar, ADE/O/R/T.P.Gudem, Sri N.Venugopal AE/O/Nallajerla I/c for respondents present and having stood over for consideration till this day, the Vidyut Ombudsman passed / issued the following :

**AWARD**

The petitioner filed this petition stating that the Consumer Grievance Redressal Forum (CGRF) passed an award directing the respondents to refund the development charges, but the respondents did not pay the amount. Thereupon, he preferred an appeal no. 12/2011 to this authority and this authority passed an award

on 18.05.2011 directing the respondents to refund the amount within 30 days from the date of receipt of the order. In spite of the same, the respondents did not choose to refund the amount and the appellant filed this petition to order payment of the amount together with interest from June 2005.

2. Now, the point for consideration is, “whether the appellant is entitled for payment together with interest from June 2005 as prayed for”?

3. The appellant failed to attend before this authority on the date of hearing at Visakhapatnam on 18.07.2011, but the respondents were represented by Sri P.Omkar, ADE/O/R/T.P.Gudem, Sri N.Venugopal AE/O/Nallajerla I/c attended before this authority and requested some more time for payment.

4. This authority passed an award on 18.05.2011 as hereunder:

*“The respondents are directed to refund the amount within 30 days from the date of receipt of the order, failing which, they have to pay interest at the rate of 12% per annum on the entire amount from the date of this order till the payment is made.”*

5. Though the direction is given to implement the order within 30 days, the respondents have not paid the amount as they have already represented that the amount was already sanctioned and they are going to pay the same soon after receiving the sanction order. Basing on that representation, this authority passed the above said order. Even that order is also not implemented. However, it is necessary to give a direction in the above said circumstances. Hence, the respondents are directed to pay interest @ 12% p.a. on the entire amount from the date of that order i.e 18.05.2011 till the date of payment. But the petitioner is not entitled for interest from June 2005.

6. The respondents are directed to pay the amount within 30 days from the date of receipt of this order together with interest @ 12% p.a. from 18.05.2011 till the date of payment, failing which this authority will initiate appropriate action u/s 146 of EA 2003 for violation of the order passed by this authority.

7. With this observation, this petition is disposed accordingly.

This order is corrected and signed on this day of 30<sup>th</sup> July 2011

**VIDYUT OMBUDSMAN**