

**VIDYUT OMBUDSMAN**  
**O/o: ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION**  
**4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004**

Present

**K.Sanjeeva Rao Naidu**  
Vidyut Ombudsman

**Dated : 16 – 02 - 2012**

**Appeal No. 6 of 2012**

Between  
Sri V.Ramakrishna Reddy  
H.No.5-8-417/3, Peddabanda, Golleguda  
Nalgonda Town, (PO & Dist).

**... Appellant**

**And**

1. Asst. Engineer /Operation/Nalgonda (Town-I)/ APCPDCL/Nalgonda
2. Asst. Divisional Engineer/operation / Nalgonda/ APCPDCL/Nalgonda
3. Divisional Engineer/operation/Nalgonda /APCPDCL/Nalgonda
4. Superintending Engineer / operation Nalgonda circle /APCPDCL/Nalgonda.

**....Respondents**

The appeal / representation received on 27.12.2011 against the CGRF order of APCPDCL (in CG No.NLG-56 dt.15.09.2011). The same has come up for hearing before the Vidyut Ombudsman on 31-01-2012. Sri V.Ramakrishna Reddy, appellant present and Sri B.Dasaiah, AE/O/T/Nalagonda present on behalf of the respondents and having stood over for consideration till this day, the Vidyut Ombudsman passed/issued the following:

**AWARD**

The petitioner filed a complaint against the Respondents for Redressal of his Grievances and stated the grounds in his complaint as hereunder:

*“He had purchased a House No.5-8-417/3 in Peddabanda (Golleguda) of area of Nalgonda proper. Even though he was in possession of the house since 29-01-1975, he had sought electric supply only last year. But, a meter and power connection were not given because some land grabbers were claiming that the land was their own. Though he applied for electric connection 16 months ago and the matter has been kept pending and requested the Forum to direct the electricity officials to immediately provide him power supply.”*

2. The 2<sup>nd</sup> Respondent has filed his written submission as hereunder:

*“The power supply was not given because of dispute regarding the ownership of the plot. The Senior Civil Judge, Nalgonda had issued a “STATUS QUO” orders. Because the court order was in force, they were unable to provide electric supply.”*

3. After hearing both sides and after considering the material placed before the Forum, the Forum passed the impugned order as here under:

*“The Respondents are directed to obtain the legal opinion in the matter from their Consultant/Advocate and to take action accordingly.*

*The Action Taken Report is to be submitted to the Forum within 15 days from the date of its receipt of this order.*

*The complaint is disposed off accordingly.”*

4. Aggrieved by the said order, the appellant preferred this appeal questioning the same that he has constructed a compound wall with gate, asbestos –roofed room water pump with municipal drinking water and also paid the municipal tax for the year 2011-12 and also the assessment order of the municipality and paid the due fees for obtaining the water tap connection. The house was allotted with Door No.5-8-417/3. Two persons who dubiously got registered a part of his land gave a complaint to AE,APCPDCL, Golleguda SS to the effect that electrical supply should not be given and that the ‘Status Quo’ order was expired long back. The AE, APCPDCL Golleguda SS and ADE,APCPDCL without looking into the merits of the case and due to extraneous considerations are hobnobbing shoulders with the two persons who are creating all this trouble for extracting money from him. The Forum ordered for legal opinion in the matter from the consultant advocate and the same is not informed and the action taken by them is also not informed to him and the impugned order is liable to be set aside.

5. Now, the point for consideration is, “whether the impugned order is liable to be set aside? If so, on what grounds?”

6. Sri V. Ramakrishna Reddy, appellant present before this authority at the time of hearing of the appeal. The appellant stated that the status quo order obtained is already expired and nothing is preventing this authority to pass an order in favour of

the appellant and the impugned order is liable to be set aside by allowing the appeal filed by him.

7. Whereas, Sri B.Dasaiah, ADE/O/T/Nalagonda present before this authority at the time of hearing of the appeal and stated that there is a civil litigation and a status quo order is obtained by two persons and that is the reason why they are not in a position to consider the request made by the appellant.

8. It is true that a status quo order is granted till 03.06.2010 and this authority has asked the appellant to produce that the said order is not further extended. The appellant expressed his inability to produce the same. Normally, the status quo order granted by the courts is to be extended from time to time on the applications made by the respective parties. Further, the very status quo order clearly shows that there is a scramble over the title in between the parties and a civil litigation is pending before the Senior Civil Judge at Nalgonda in OS No.88 of 2010.

9. It is not appropriate for this authority to pass any order in favour of the appellant as the matter is sub-judice before the Senior Civil Judge Court at Nalgonda. It is also against to the clause 4.7 of the order issued by the Commission. This authority and the Forum is precluded from entertaining the appeal when there is a civil litigation pending before the civil court . There are no merits in the appeal and the appeal preferred by the appellant is liable to be dismissed.

10. In the result, the appeal is dismissed.

This order is corrected and signed on this day of 16<sup>th</sup> February 2012

**VIDYUT OMBUDSMAN**