

**Before the Appellate Tribunal for Electricity
Appellate Jurisdiction**

Appeal No. 58 of 2006

**Present : Hon'ble Mr. Justice E. Padmanabhan, Judicial Member
Hon'ble Mr. H.L. Bajaj, Technical Member**

**M/s Usha Martin Ltd. ... Appellant
Versus
Jharkhand State Electricity Regulatory Commission & Ors. ... Respondents**

Counsel for the Appellant : Mr. A. K. Sinha with Mr.K.A. Singh
advocates

Counsel for the Respondents : Mr. Shrivastava, Advocate and
Mr.A.K.Mehta, representing JSERC for 1st
respondent
Mr. Gopal Prasad advocate for JSEB

Dated : 04th April, 2006

ORDER

Heard Mr. A. K. Sinha appearing for the appellant, Mr. Shrivastava appearing for the 1st respondent and Mr. Gopal Prasad for the 2nd respondent. Concedingly the dispute in respect of which the appellant has gone before the Regulatory Commission relates to the billing dispute in respect of which the Regulatory Commission has no jurisdiction. We have already held by our order in Appeal No. 30 of 2005 (Reliance Energy Limited Vs. Maharashtra Electricity Regulatory Commission & Ors.) the Regulatory Commission has no jurisdiction in respect of consumer disputes and the consumer has to work out the remedies, if any, before the Consumer Redressal Grievance Forum constituted under Section 42(5). If the consumer is not satisfied the consumer has the liberty to approach the Ombudsman or work out the remedies before the forums constituted under The Consumer protection Act 1986 or such other forums. In the light of the said consistent view taken by us in the above cited order we hold that the there are no merits in this appeal. However, liberty is given to appellant to work out remedies before competent forum.

**(Mr. H.L. Bajaj)
Technical Member**

**(Mr. Justice E. Padmanabhan)
Judicial Member**