

Territorial Jurisdiction: State of Jharkhand

**AUTHORITY OF THE ELECTRICITY OMBUDSMAN: JHARKHAND**

Present: Gopal Kumar Roy  
Electricity Ombudsman  
2<sup>nd</sup> Floor, Rajendra Jawan Bhawan  
Main Road, Ranchi- 834001.

Dated- Ranchi, the 22nd day of November, 2024

**Appeal No. EOJ/04 of 2024**

(Arising out of order passed in Case No. CGRF/TSL/09/18 of 2018 by the CGRF/TSL at Jamshedpur)

**CAUSE TITLE (Appeal No. EOJ/04 of 2024)**

**As per Memo of Appeal**

M/S Jaiswal Sweets -----Appellant

**Versus**

M/S Tata Steel Limited & others -----Respondent

**As per Form - III**

*of The JSERC (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumer, Electricity Ombudsman and Consumer Advocacy) Regulations, 2020*

M/S Jaiswal Sweets, Consumer No. 10082729, Consumer Category - L.T. Commercial, Holding No. 02, Sakchi, Jamshedpur 831001 ---- Consumer/Appellant/Complainant

**Versus**

Tata Steel Ltd ----- Licensee

**As per Form - V**

*of The JSERC (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumer, Electricity Ombudsman and Consumer Advocacy) Regulations, 2020*

M/S Jaiswal Sweets Vs. Tata Steel & Others

AND

Mrs. Urmila Jaiswal W/O Late Santosh Kumar Jaiswal Address : Qr. No. 62, Line No. 03, Kashidih, Sakchi, Jamshedpur, Jharkhand 831001 -----Petitioner

**Versus**

1. Tata Steel Ltd Address: Tata Steel GM Office, Northern Town, Jamshedpur, Jharkhand 831001 -----Respondent

2. Mr. Rajesh Kumar Jaiswal S/O Late Sewalal Jaiswal Address : Radha Krishna Mandir, Mango, (Near Payal Cinema), 831012 Jharkhand -----Intervener

**CAUSE TITLE (Case No. CGRF/TSL/09/18 of 2018 of the Ld. CGRF, Jamshedpur)**

**As per CGRF/TSL/09/18 Order dated 7.2.2024**

M/S Jaiswal Sweets through Smt. Urmila Jaiswal, W/O Late Santosh Kumar Jaiswal, Shop No – 02, Sakchi Market, Township – Jamshedpur, District – East Singhbhum ----- Consumer (Petitioner)

**Versus.**

1. DGM – Town Electrical ( Tata Steel Ltd. – Distribution Licensee) -----OP-1
2. Rajseh Kumar Jaiswal (intervener) -----OP-2

**As per Form - I**

*of The JSERC (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumer, Electricity Ombudsman and Consumer Advocacy) Regulations, 2020*

M/S Jaiswal Sweets, Consumer No. 10082729, Consumer Category - L.T. Commercial, Holding No. 02, Sakchi, Jamshedpur 831001 ----- Consumer

**Versus**

Tata Steel Ltd. -----Licensee

**As per Complaint Petition**

Urmila Jaiswal W/O Late Santosh Kumar Jaiswal ----- Petitioner

**Versus**

1. M/S Tata Steel Limited ----- Respondent 1
2. JUSCO Limited ----- Respondent 2 ..... O.P. 1
3. Rajesh Kumar Jaisawal ----- Intervener ..... O.P. 2

Counsel/Representative-

On behalf of Appellant: Mr. Vikash Jaiswal S/O Mrs. Urmila Jaiswal  
On behalf of Intervener Respondent: Mr. Manprit Singh, Advocate  
On behalf of Licensee Respondent : None

**ORDERS**

**1.** The appellant has filed a petition on affidavit before this Authority on 17.10.2024 with following prayer:-

- a. Permit the Petitioner to withdraw the appeal petition currently before the Ombudsman.
- b. Grant liberty to the Petitioner to approach the CGRF for correction of technical errors in the Judgement.
- c. Allow the petitioner to refile an appeal before the Ombudsman after such correction, to argue the matter on its merits and
- d. Pass such other order on this Hon'ble Court may deem fit and proper in the interest of Justice.

**2. Origination :** The record of this appeal EOJ/04/2024 has witnessed that on 16.5.2024 one Mr. Arun Singh, Assistant Manager, Legal Department TSUISL (Tata Steel Utilities and Infrastructure Service Limited) Jamshedpur had appeared before this Authority . He had orally submitted that the Deputy General Manager of Tata Steel Limited has been noticed as a Respondent in this appeal but there is no such post in Tata Steel Limited.

**3. Order passed on 16.5.2024 in EOJ/04/2024 :** To understand the ambiguity, I feel it expedient to project the order sheet dated 16.5.2024. The Order sheet reads as follow:-

*“ The record is placed before me. One Vikash Kumar Jaiswal is present before this Authority for M/S Jaiswal Sweets. The Intervener ( Respondent) Rajesh Kumar Jaiswal is in attendance. He has filed Written Statement/Submissions (Counter Affidavit) by serving a copy to the appellant. A copy of Counter Affidavit for Respondent No. 1 has been attached.*

*One Mr. Arun Singh, Assistant Manager, Legal Department TSUISL (Tata Steel Utilities and Infrastructure Services Limited), Jamshedpur appeared before this Authority. He has orally submitted that the Deputy General Manager of Tata Steel Limited has been noticed by this Authority as Respondent but there is no such post in Tata Steel Limited.*

*I have gone through the record of this appeal. The Memo of Appeal does not bear 'Cause Title'. In 'Form-V', the Respondent is –“ Tata steel Ltd. Address : Tata Steel GM Office, Northern Town, Jamshedpur, Jharkhand 831001.” On going through the record of this Appeal before the Electricity Ombudsman as well as the record of the learned CGRF (Tata Steel Limited), Jamshedpur, a few ambiguities are apparent on the face of it, viz:- (i) “Smt. Urmila Jaiswal” is complainant/Petitioner in Case No.-9/2018 before the learned CGRF claiming herself as consumer (para-1 of complaint petition) while in Form I “M/S Jaiswal Sweets” has been shown as consumer. In Final Order, M/S Jaiswal Sweets through Smt. Urmila Jaiswal has been shown as Complainant (Petitioner). (ii) In the Original Complaint petition, there were two respondents – M/S Tata Steel Limited and M/S JUSCO Limited. (The Registered address of these two defendants are not available in Complaint petition). In the Final Order of the learned CGRF (Tata Steel Ltd.), Jamshedpur M/S JUSCO Limited has not been shown as the Opposite party. (iii) The Form V is available on the record of the learned CGRF but the name and address of parties are blank. The above ambiguities go to the root of the matter. This Authority of Electricity Ombudsman feels it expedient to give an opportunity to the parties for hearing on the ambiguity apparent on record.”*

**4. Steps taken by the appellant :** On 4.7.2024 the appellant had filed a petition on affidavit for amendment of the Cause title in Memo of Appeal. In fact, the appellant had made a prayer to attach the proposed Cause Title replacing the existing. The proposed amendment is as follows:-

M/S Jaiswal Sweets through Smt. Urmila Jaiswal W/O Late Santosh Kumar Jaiswal  
Occupational Address : Shop No. 02, Sakchi Market, P.O. and P.S.- Sakchi,  
JamshedpurPetitioner, District - East Singhbhum, PIN 831001

..... Complainant/Petitioner

**Versus**

1. M/S Tata Steel limited, Jamshedpur (License No. 02 of 2005-06), Correspondence  
Address: Sakchi Boulevard Road, Northern Town, Bistupur, P.O. and P.S. Bistupur,  
Jamshedpur, District – East Singhbhum, Pin-831001. ....Respondent 1

2. The DGM (Power Service Division), Tata Steel Utilities and Infrastructure Services  
limited (TSUISL) formerly known as JUSCO, Jamshedpur (License No.03 of 2006-07)  
Correspondence address: Sakchi Boulevard Road, Northern Town , Bistupur, P.O.  
and P.S. Bistupur, Jamshedpur, District-East Singhbhum, Pin-831001.

.....Respondent 2

3. Rajesh Kumar Jaiswal, s/o Late Sewalal Jaiswal, resident of Near Radha Krishna  
Mandir, New Purulia Road, Mango, P.O and P.S. Mango, Jamshedpur, District- East  
Singhbhum, Pin-831012 .....Intervener

**5. Matter of Concern :**

**5.1** The ‘Registered Address’ of Licensee is not available in Form-I, Complaint  
Petition and in Order dated 7.2.2024 of learned Forum passed in CGRF/TSL/09/18.

**5.2** Originally there were two opposite parties in Complaint petition i.e. M/S Tata Steel Limited and JUSCO Limited. Thereafter one Intervener Rajesh Kumar Jaiswal was added. In Order dated 7.2.2024, in Cause title there is no reflection of JUSCO Limited. The entire order sheet of Case No – CGRF/TSL/09/18 does not disclose as to whether the name of JUSCO Limited has been deleted as ‘Improper Party’ or has been merged with M/S Tata Steel Limited. The entire order sheet of Case No. CGRF/TSL/09/18 does not disclose as to how “DGM - Town Electrical (Tata Steel Ltd - Distribution Licensee), has found place in Cause Title of Order dt.7.2.2024, replacing M/S Tata Steel Limited.

**5.3** The registered address of Respondent Licensee, as mentioned in Form – V in appeal is not identical with the Order dt.7.2.2024 of the learned Forum.

**5.4** As per Order dt. 7.2.2024 of the learned Forum, M/S Jaiswal Sweets through Smt. Urmila Jaiswal is the consumer (Petitioner) while the Complaint petition discloses that Urmila Jaiswal is the petitioner.

**5.5** On 21.6.2018, the opposite Party had filed their Contesting Reply/Written Version on affidavit before the learned CGRF, Jamshedpur in Case No.-CGRF/TSL/09/18. It had been filed on behalf of both the Respondents (JUSCO & DGM, Town electrical). If the Written Version had been filed on behalf of both the opposite parties / respondents, how the opposite party JUSCO Limited has lost its identity in this Case and its name is not reflecting in Final Order dated 7.2.2024 of the learned Forum?

**5.6** There is no Vakalatnama / Authority Letter of the Licensee Opposite Parties on the record of the Forum to find out their ‘Registered Addresses’

**5.7** The post of Deputy General Manager (DGM) at Town Electrical Department (**JUSCO**), Bistupur, Jamshedpur is available in Distribution Licensee’s office, as Mr.

Manmohan Singh held the post, on 21.6.2018, who had sworn in affidavit in support of the Written Version of the respondents. But the existence of the post DGM-Town Electrical (**Tata Steel Limited**) has been questioned by the Legal Department of the TSUISL.

**6. Borrowed persons can not be impleaded as Respondents :** The appellant can not be permitted to implead a borrowed person as respondent in this appeal who is stranger to the case record of Case No- CGRF/TSL/09/18. If any technical errors have occurred in the case record of the learned Forum, those defects are required to be removed by the learned CGRF, Jamshedpur.

**7. Withdrawal petition of appellant :** On 17.10.2024 the appellant had filed a petition on affidavit for withdrawal of appeal with leave to approach before the learned CGRF /TSL Jamshedpur for technical correction with liberty to file fresh representation / appeal after Correction.

I have heard Mr. Vikash Kumar Jaiswal S/O Mrs. Urmila Jaiswal and the learned counsel for the Intervener Respondent. The intervener has shown no objection if the petition of the appellant is being allowed. Mr. Manprit Singh, the learned Counsel for the intervener has requested to impose a heavy cost upon the appellant. To my considered opinion, since it is a matter of technical errors on records and we are equally liable for the error, there shall be no order of costs upon the appellant. The parties shall bear their own costs.

**8.** In view of my findings & comments made above, it is therefore

**ORDERED**

that the petition for withdrawal of appeal/representation be and the same is



**ALLOWED**

with a leave to appear before the Electricity Consumer Grievance Redressal Forum (Tata Steel Ltd.) at Jamshedpur, for technical correction, confining to the registered address of parties, as available in cause title, in the Order passed in Case No – CGRF / TSL /09/18 dt. 29.5.2024 by the Learned Forum on the 7<sup>th</sup> day of February, 2024.

The **Consumer**, having Consumer No. 10082729, Consumer Category - L.T. Commercial, shall be at liberty to file fresh appeal / representation before the Authority of Electricity Ombudsman within 30 days of receiving a copy of the corrected order, if it so desires.

Let a copy of this order be served upon the Appellant and the Intervener Respondent. The office is directed to return the original case record of CGRF/TSL/09/18 dt. 29.5.2018 to the learned CGRF / TSL at Jamshedpur alongwith a copy of this order.

The present appeal is being disposed of accordingly along with all pending applications.

(Dictated & Corrected by me)

Pronounced by me

( G. K. ROY )

(GOPAL KUMAR ROY)

Electricity Ombudsman : Jharkhand