

# BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission  
under Section 42(6) of the Electricity Act, 2003)

## REPRESENTATION NO.7 OF 2026

(REVIEW OF THE ORDER IN REPRESENTATION NO. 102 OF 2025)

In the matter of release of new service connections in existing infrastructure

Bedekar Life Spaces LLP ..... Review Applicant  
(Partner V.M. Bedekar)

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Kolhapur R II Dn. .... Respondent  
(MSEDCL)

Appearances:

Appellant : 1. Vidyanand Bedekar  
2. Sourabh Kulkarni, Representative  
3. Ashok Chandak, Representative

Respondent : 1. Dattatray Bhanage Ex. Engineer, Rural Division. -II Kolhapur  
2. Khijar Shaikh, Jr. Law Officer


**Coram: Vandana Krishna [IAS (Retd.)]**

Date of hearing: 10<sup>th</sup> March 2026

Date of Order : 2<sup>nd</sup> April 2026

## ORDER

This Review Application was registered on 5<sup>th</sup> February 2026 under Regulation No. 22.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) for review of the Order dated 16<sup>th</sup> January 2026 in Representation 102 of 2025 passed by the Electricity Ombudsman (Mumbai). The Electricity Ombudsman (Mumbai), by this impugned order had rejected the grievance of the Applicant.

  
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2. Aggrieved by this impugned order of the Electricity Ombudsman (Mumbai), the Applicant has filed this Review Application. An e-hearing was held on 10<sup>th</sup> March 2026 through video conference. Parties were heard at length. The Applicant's submissions and arguments are stated as below:

- (i) The present review application is filed on the following permissible grounds under Regulation 22.1 of the CGRF & EO Regulations 2020: -
- Error apparent on the face of the record.
  - Non-consideration of vital submissions and documents already on record.
  - Consideration of incorrect and inflated load data submitted by the Respondent.
  - Discovery and non-consideration of additional documents/material evidence submitted after hearing but prior to passing of the Order.


(ii) **Grounds for Review:**

**Ground – I: Error Apparent on the Face of Record due to Incorrect and Inflated Load Calculation**

The impugned Order suffers from an error apparent on the face of the record, particularly in the observations contained in Para 07. The Electricity Ombudsman has recorded that, as per MSEDCL Circular No. 35530 dated 14.11.2024, the Applicant had applied for an aggregate load of 155.06 kW with corresponding demand of 93.74 kVA. This observation is factually incorrect and contrary to the record. The Review Applicant had submitted A1- Application Form wherein the load was calculated strictly on carpet area basis as per the prescribed methodology. As per the original application dated 03.06.2023, the Applicant had applied for a connected load of 58.09 kW and contract demand of 73 kVA. The figure of 155.06 kW has never been applied for by the Applicant and appears to have been unilaterally projected by the Respondent without applying the mandatory Diversity Factor, thereby resulting in an incorrect conclusion in the impugned Order.

**Ground – II: Non-Application of Mandatory Diversity Factor**

MSEDCL Circular No. 35530 dated 14.11.2024 mandates application of a Diversity Factor of 2.5 for determining load and transformer capacity. The

  
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Respondent failed to apply the said factor and consequently projected an inflated demand exceeding 75 kVA. The impugned Order relied upon these incorrect figures without verifying application of the mandatory Diversity Factor. Upon proper application of the Diversity Factor, the Applicant's demand remains below 75 kVA, which is the decisive threshold under the said Circular.

**Ground – III: Non-Consideration of Additional Load Calculation and Evidence**

The Review Applicant had submitted an Additional Say along with a revised Load Calculation Sheet via email dated 30.12.2025 prior to passing of the impugned Order, wherein the load was calculated on carpet area basis in compliance with Circular No. 35530 dated 14.11.2024, resulting in a calculated load of 65.22 kW and demand of 72.47 kVA after applying the Diversity Factor. Since the demand is below 75 kVA, only augmentation of the existing transformer is required and no land for a new transformer can be demanded. The impugned Order, however, does not consider the said submission, amounting to non-consideration of material evidence warranting review under Clause 22.1 of the Regulations.

**Ground – IV: Violation of Regulations 20.5 and 20.6 of CGRF & EO Regulations, 2020 read with Regulation 6.6 of MERC Supply Code, 2021:**

Regulation 20.5 requires that every Order of the Electricity Ombudsman be consistent with the Commission's Regulations and be a reasoned order, while Regulation 20.6 mandates reference to the Commission where an issue is not fully covered by the Regulations. The impugned Order permits demand of land for electrical infrastructure without examining Regulation 6.6 of the MERC Supply Code, 2021, which provides that any requirement of land or room shall be governed by the Development Control Rules or directions of the competent authority. As the Applicant's plot area is 976.70 sq. mtrs., which is below the 2000 sq. mtrs. threshold under the applicable Development Control Rules, no statutory requirement exists for providing land for a transformer. The impugned Order is therefore inconsistent with Regulation 6.6 and violates Regulation 20.5, and the matter ought to have been referred to the Commission under Regulation 20.6.

  
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**Ground – V: Erroneous Reliance on Alleged Admission Regarding Availability of Land**

The impugned Order in Para 12 erroneously infers that the Applicant admitted availability of land based on photographs and a request for waiver of lease deed. This observation is based on a misreading of the Applicant’s submission. The Applicant had never given unconditional consent for providing land; the statement was purely alternative, conditional and without prejudice, made only to avoid delay. The Applicant had merely indicated willingness to offer a limited area of 25 sq. mtrs. without execution of a lease deed and without admitting the legality of such requirement. The impugned Order failed to consider these conditions and limitations, thereby drawing an incorrect inference which has materially affected the outcome.

**Ground – VI: Non-Consideration of Binding Government Policy and MERC Order**


The impugned Order fails to consider the binding policy of the Government of Maharashtra recognized by the Commission in MERC Case No. 113 of 2022 (Order dated 06.01.2023), which relies upon the Government Circular dated 29.05.2019 providing that electricity connections up to 200 kVA (160 kW) shall be released where statutory and safety requirements are complied with. The Applicant has fulfilled all such requirements and the demand in the present case is far below 200 kVA. Non-consideration of this binding Government policy and MERC Order constitutes a material omission warranting review.

**Ground – VII: Adverse State-wide Impact and Need for Statutory Adherence**

If the impugned Order stands, it would give MSEDCL unchecked power to demand land for infrastructure from any consumer, bypassing statutory thresholds, DC Rules, and binding Circulars. This precedent would have serious adverse effects across Maharashtra, especially on small landholders and projects below prescribed limits.

**Ground – VIII: Respondent’s Own Admission Before the Commission**

The impugned Order fails to consider the Respondent’s own submissions before the MERC in Case No. 125 of 2025, wherein MSEDCL admitted that where the load

  
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after application of Diversity Factor is up to 75 kVA and LT line extension is within 250 meters, supply shall be released from the existing Distribution Transformer and land is required only when the demand exceeds 75 kVA. MSEDCL further acknowledged that plots up to 2000 sq. mtrs., generally require only about 66.66 kVA after Diversity Factor and therefore do not require a new Distribution Transformer. As the Applicant's plot area is 976.70 sq. mtrs. and the demand after Diversity Factor is below 75 kVA, the Respondent's own stand supports the Applicant's case, and non-consideration of these submissions constitutes an error apparent on record warranting review.

**Ground – IX: Contradictory Stand of MSEDCL:**

The impugned Order fails to consider MSEDCL's contradictory stand regarding applicability of Circular No. 35530 dated 14.11.2024. While MSEDCL has contended before the CGRF in Case No. 69 of 2025 that Circular No. 35530 is fully applicable and that all previous circulars stand superseded, it has simultaneously relied upon load calculations based on superseded circulars in the present proceedings to project an inflated demand of 93.74 kVA. The Review Applicant has submitted a revised load calculation strictly as per Circular No. 35530, showing demand of 72.47 kVA after applying the Diversity Factor, which is below the 75 kVA threshold. Acceptance of the inflated figures without examining this contradiction amounts to reliance on obsolete methodology and constitutes an error apparent on the face of the record warranting review.

**Ground – X: Binding Effect of MERC Order in Case No. 182 of 2023**

The impugned Order is contrary to the binding directions of the Hon'ble Maharashtra Electricity Regulatory Commission in Case No. 182 of 2023 (Order dated 16.08.2024), which held that demand for land for electrical infrastructure cannot be arbitrary and must be technically justified. Pursuant to the said Order, MSEDCL issued Circular No. 35530 dated 14.11.2024, which provides that where the demand after application of Diversity Factor is up to 75 kVA, supply shall be released from the existing Distribution Transformer and no land for a new transformer can be demanded. In the present case, the Applicant's demand is 72.47 kVA after application of Diversity Factor and therefore squarely falls within this

  
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limit. The impugned Order, by permitting demand of land despite these binding directions, is inconsistent with the MERC Order and Circular No. 35530 and is liable to be reviewed.

**Ground – XI: Hardship to Occupants and Abuse of Monopoly Position**

The project has been granted Full Occupancy Certificate by Kolhapur Urban Area Development Authority (KUADA) on 18.10.2025 and all statutory compliances are fulfilled. However, the Applicant is unable to hand over possession to flat purchasers solely due to MSEDCL's refusal to augment the existing Distribution Transformer despite the demand being only 72.47 kVA after application of Diversity Factor. This has caused serious hardship and financial loss to occupants, while MSEDCL, being the sole distribution licensee, is insisting on unlawful land requirements and compelling temporary supply through a construction meter. Such conduct defeats the mandate of Section 43 of the Electricity Act, 2003 and warrants immediate augmentation of the existing transformer.

- (iii) In view of the above facts and grounds, the Review Applicant prays that the Electricity Ombudsman may be pleased to review and recall Order No. 102/2025 dated 16.01.2026 to the extent it relies upon incorrect and inflated load calculations; consider the revised load calculation submitted vide email dated 30.12.2025 and hold that application of the Diversity Factor is mandatory as per Circular No. 35530 dated 14.11.2024; declare that demand of land or space for a transformer is unjustified as the demand is below 75 kVA; and direct MSEDCL to propose only augmentation of the existing infrastructure without insisting upon provision of land for a transformer.
- (iv) The Appellant, vide email dated 14.03.2026, submitted documents stating that the Kolhapur Urban Development Authority is a statutory planning authority established on 16.08.2017 under the Maharashtra Regional and Town Planning Act, 1966 for planned development of Kolhapur and adjoining areas. It is further submitted that KUDA has jurisdiction over the city and around 42 nearby villages and functions as the planning authority for peri-urban areas beyond the limits of Kolhapur Municipal Corporation, with responsibilities including regulation of land

  
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use, grant of development permissions, implementation of development plans, and provision of basic infrastructure to ensure balanced and planned urban growth.

- (v) The Appellant's representative, by email dated 10.03.2026, has also raised an objection regarding the presence of the legal office of MSEDCL.
- (vi) The Appellant, by letter dated 11.03.2026, has further submitted that, in one instance, the City Survey Office, Sangli, refused to process declarations on the property card, thereby causing a legal dispute and administrative inconvenience to the property holder on account of an alleged illegal deed of 25 sq. meters executed in favour of MSEDCL.

3. The Respondent's submissions and arguments are stated as below:

**I. Preliminary Submissions**

- (i) The present Review Representation is not maintainable for want of locus standi. The Applicant is a Limited Liability Partnership (LLP) having partners/directors; however, no authorization, board resolution, or power of attorney empowering the present representative to pursue the present proceedings has been produced either before this Hon'ble Electricity Ombudsman or earlier before the Consumer Grievance Redressal Forum. In the absence of such authority, the present proceedings are incompetent and liable to be dismissed at the threshold.
- (ii) Without prejudice to the above, the present Review Application is wholly misconceived, untenable in law and devoid of merit. The Applicant seeks to reopen concluded findings under the guise of review without demonstrating any patent error apparent on the face of the record. It is well settled that review jurisdiction is extremely limited and cannot be invoked for **re-appreciation of evidence, rehearing on merits, or substitution of a different view merely because the Applicant is dissatisfied with the outcome.**
- (iii) The Order dated 16 January 2026 passed in Representation No. 102 of 2025 was rendered after due consideration of the pleadings, documents, and applicable regulatory provisions. The said order is reasoned, lawful and does not suffer from any error apparent on the face of the record warranting interference in review.

  
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- (iv) The Applicant has invoked the ground of “error apparent on the face of the record”; however, no such error has been specifically identified or substantiated. A mere assertion of error, without demonstrating a self-evident and manifest mistake in the impugned order, cannot justify invocation of the limited review jurisdiction of this Hon’ble Authority.
- (v) A plain reading of the Review Representation makes it evident that the Applicant seeks a re-examination of factual and regulatory issues already considered and adjudicated upon. **Such an attempt is nothing but an appeal in disguise.** It is settled law that review proceedings cannot be used as a forum for rehearing or re-arguing the matter on merits, and any such attempt deserves to be rejected.
- (vi) In *Kamlesh Verma v. Mayawati* [(2013) 8 SCC 320], the Hon’ble Supreme Court has categorically held that review jurisdiction is extremely limited and can be exercised only in cases of discovery of new and important evidence, an error apparent on the face of the record, or other sufficient reason, and that review cannot be treated as an appeal in disguise for rehearing the matter. The Court has further clarified that repetition of earlier arguments, re-appreciation of evidence, or the mere possibility of another view cannot constitute grounds for review, and the alleged error must be self-evident and apparent from the record itself. In the present case, the Applicant has merely reiterated contentions already considered in the earlier proceedings without demonstrating any patent error apparent on the face of the record; hence the Review Representation is not maintainable.

## II. Submissions on Merit: Para-wise Reply to Grounds Raised in Review Representation:”

### Ground I: Alleged Error in Load Calculation

- (i) The Applicant initially submitted an application dated 14.10.2023 seeking electricity supply with a demand of 74.99 kW / 94 kVA. Subsequently, the said application was cancelled by the system and the Applicant submitted a revised application dated 03.06.2024 seeking a load demand of 58.09 kW / 73 kVA.
- (ii) As per MSEDCL Circular No. 35530 dated 14.11.2024, it is specifically clarified that load after application of Diversity Factor (DF) is to be

  
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considered only for deciding Distribution Transformer Centre (DTC) capacity and shall not be considered for issuing quotation. The sanctioned load is determined based on load before application of diversity factor in kW.

- (iii) The Respondent carried out the load assessment of the Applicant's project on the basis of RERA carpet area and layout plan submitted by the Applicant, in accordance with Circular No. 30011 dated 20.12.2018 and subsequent amendments issued vide Circulars dated 19.03.2021, 20.12.2023 and 01.01.2024.
- (iv) Based on the applicable guidelines, the assessed load was calculated at 93.74 kVA after applying diversity factors of 1.5 for commercial shops and 2.5 for residential flats with power factor considered at 0.9.
- (v) After issuance of Circular No. 35530 dated 14.11.2024, the Respondent recalculated the load, and the revised load works out to 72.47 kVA after applying diversity factor of 2.5 and power factor of 0.9.
- (vi) Since the calculated load exceeds 25 kVA and **the Applicant's premises falls within the jurisdiction of Pachgaon Grampanchayat, which is classified as a rural area, augmentation of infrastructure including installation of a new Distribution Transformer becomes necessary.**
- (vii) Therefore, the Respondent has carried out the load calculation strictly in accordance with applicable circulars and regulatory provisions. The contention raised by the Applicant does not disclose any error apparent on the face of record and cannot form a valid ground for review.

#### **Ground II: Alleged Non-Application of Diversity Factor**

- (i) The Respondent denies the allegation that diversity factor was not applied while calculating the load. The total connected load of the project was assessed at 155.06 kW and after applying diversity factors of 1.5 for commercial shops and 2.5 for residential flats, the load was calculated at 93.74 kVA as per the circular applicable at the time of initial application dated 14.10.2023. Even after revision of the circular vide Circular No. 35530 dated 14.11.2024, the Respondent recalculated the load and applied the

  
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revised diversity factor accordingly. Thus, the contention of the Applicant that diversity factor was not applied is factually incorrect.

### **Ground III: Alleged Non-Consideration of Documentary Evidence**

- (i) The MSEDCL Circular No. 35530 dated 14.11.2024 clearly provides that **if the load demand after application of diversity factor is up to 25 kVA / 75 kVA / 250 kVA for rural, urban and metro areas respectively, and if the loading on the existing DTC exceeds 80%, augmentation of infrastructure becomes necessary.**
- (ii) The Applicant's project is situated at C.S. No. 1047/1048, Village Pachgaon, Taluka Karveer, District Kolhapur, which falls under the jurisdiction of Pachgaon Grampanchayat and is therefore classified as a rural area.
- (iii) Since the load demand exceeds 25 kVA, installation of a new Distribution Transformer Centre (DTC) is required and suitable land must be made available for the same.
- (iv) Accordingly, the Respondent has acted strictly in accordance with the applicable circulars and regulatory provisions.

### **Ground IV: Alleged Violation of MERC Regulations**

- (i) The allegations made under this ground relate to findings recorded in the Order passed by the Hon'ble Ombudsman and therefore the Respondent refrains from commenting on the said observations.
- (ii) With regard to the reliance placed on UDCPR Rules, the Respondent submits that the said rules are not applicable to MSEDCL. MSEDCL operates under the provisions of the Electricity Act, 2003 which is a special statute and prevails over general statutes such as the UDCPR Rules.
- (iii) Further, under the MERC Supply Code Regulations, 2021, where supply requires installation of transformer, switchgear and allied apparatus within the consumer's premises, the applicant is required to provide suitable land or room within such premises to the distribution licensee by way of lease.
- (iv) **In the present case, the Applicant has not executed the required lease for the land required for installation of the Distribution Transformer and therefore the Applicant has not complied with the mandatory requirements.**

  
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### **Ground V: Alleged Admission Regarding Availability of Land**

The Respondent submits that the Applicant opted to carry out the work under the Deposit Contribution / DDF Scheme for obtaining electricity supply at the earliest. After submission of documents, the Applicant was informed regarding the requirement of land lease for installation of the Distribution Transformer as per MSEDCL rules.

The Civil Department of MSEDCL granted clearance for the DTC land and lease consideration of Rs. 99/- was transferred to the account of M/s Bedekar Life Spaces LLP on 28.08.2025.

However, the Applicant has not executed the required lease deed till date and therefore the work remains pending.

As per Circular No. 35530 dated 14.11.2024, the land required for an outdoor Distribution Transformer Centre is 25 square metres.

### **Ground VI: Alleged Non-consideration of Government Policy**

The Applicant has relied upon the order of the Commission in Case No. 113 of 2022 dated 06.01.2023 which refers to the Government of Maharashtra Circular dated 29.05.2019.

However, the said order clearly stipulates that electricity supply can be granted upon compliance with all necessary formalities and absence of discrepancies in the installation.


In the present case, the Applicant has failed to comply with the essential requirement of providing land for installation of the Distribution Transformer and therefore the necessary formalities remain incomplete.

### **Ground VII: Alleged State-wide Impact**

The Respondent submits that MSEDCL functions strictly in accordance with the rules, regulations and policies framed by the Maharashtra Electricity Regulatory Commission (MERC).

All operational policies of MSEDCL are framed in conformity with the regulatory framework prescribed by MERC and the Respondent has acted strictly within such framework.

### **Ground VIII: Alleged Admission in MERC Case No. 125 of 2025**

  
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The Respondent submits that in Case No. 125 of 2025, submissions were made strictly in accordance with the existing policy and regulatory framework.


As per Circular No. 35530 dated 14.11.2024, if the load demand after application of diversity factor exceeds 25 kVA in rural areas, installation of a new Distribution Transformer Centre becomes necessary.

The Applicant's project is situated within Grampanchayat limits and therefore classified as a rural area. Since the load demand exceeds the permissible threshold, installation of a new DTC is required.

Therefore, the allegation that MSEDCL has admitted the Applicant's case in the said proceedings is incorrect.

### III. Other Submissions

- (i) The Applicant has taken contradictory stands during different stages of proceedings. Before the CGRF, the Applicant contended that Circular No. 35530 dated 14.11.2024 was not applicable, whereas in the present Review Representation reliance has been placed upon the very same circular.
- (ii) The Applicant has also admitted in the Review Representation that **temporary supply through a construction meter is being extended to residential premises, which is not permissible. The Applicant has therefore not approached this Hon'ble Authority with clean hands.**
- (iii) The scope of review jurisdiction is extremely limited. The present Review Representation is essentially an appeal disguised as a review and therefore deserves to be dismissed.
- (iv) The Respondent received notice of the present proceedings on 17.02.2026 and due to limited time available there has been delay in filing the present reply. The Respondent therefore humbly requests that the delay may kindly be condoned in the interest of justice.
- (v) In view of the facts and submissions made hereinabove, the Respondent most respectfully submits that the present Review Representation does not disclose any error apparent on the face of the record and is nothing but an attempt to seek rehearing of the matter already decided by the Hon'ble Ombudsman.

  
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- (vi) The Respondent further submits that the Applicant has failed to demonstrate any discovery of new and important evidence or any other sufficient reason warranting exercise of review jurisdiction. The issues raised in the Review Representation have already been considered during the original proceedings and therefore cannot be reopened under the limited scope of review.
- (vii) It is further submitted that the Applicant has not complied with the mandatory requirements under the applicable regulations and circulars, including the requirement of providing suitable land for installation of the Distribution Transformer Centre (DTC), which is necessary for providing electricity supply to the Applicant's project.
- (viii) The Respondent therefore submits that the present Review Representation is not maintainable in law or on facts and deserves to be dismissed.

### **Analysis and Ruling**

4. Heard both the parties and perused the documents on record. The issues raised by the Applicant were discussed at length in the hearing.

5. The present Review Application has been filed under Regulation 22 of the CGRF & EO Regulations, 2020 seeking review of Order dated 16.01.2026 passed in Representation No. 102 of 2025, on grounds inter alia of alleged error apparent on the face of record, non-consideration of submissions/documents, incorrect load calculation, and discovery of additional material. The Review Applicant has raised multiple grounds primarily relating to load calculation, applicability of Diversity Factor, requirement of land for transformer, alleged non-consideration of additional submissions, and reliance on certain Circulars, MERC Orders and Government policies, along with additional submissions regarding Kolhapur Urban Development Authority, objection to the legal office of the Respondent, and issues concerning the City Survey Office, Sangli.

6. The Respondent has opposed the Review Application contending that the same is not maintainable, devoid of merit, and amounts to an attempt to re-open the matter already adjudicated, without demonstrating any error apparent on the face of record or discovery of


  
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new and important evidence, and that the Review Application is in the nature of an appeal in disguise. Upon careful consideration, it is observed that the original Order dated 16.01.2026 has dealt with all material issues in detail, including load assessment, urban or rural area, applicable Circulars, requirement of infrastructure, and regulatory provisions, after due consideration of pleadings and documents on record. The principal grounds now urged, particularly relating to load calculation, Diversity Factor, applicability of Circular No. 35530, requirement of land for transformer, and alleged inconsistencies in the Respondent's stand, are essentially reiteration of contentions already considered in the original proceedings, and re-appreciation thereof would amount to rehearing on merits, which is impermissible in review jurisdiction.

7. As regards the contention of error apparent on the face of record, it is well settled that such error must be self-evident and not one requiring detailed examination or re-interpretation of facts or regulations. The issues raised involve detailed technical and regulatory analysis and therefore do not constitute errors apparent on record. The plea regarding non-consideration of additional submissions dated 30.12.2025 and other documents is also not tenable, as the substance of the dispute has already been considered in the original Order, and mere non-reference to each document does not warrant review. The additional points raised, including those relating to Kolhapur Urban Development Authority, objection to the Respondent's legal office, and instances concerning the City Survey Office, Sangli, are ancillary and secondary in nature and do not materially affect the core issues decided.

8. The reliance placed on various Circulars, MERC Orders and policy documents has also been examined; however, their interpretation and applicability were part of the original adjudication, and reconsideration thereof would amount to sitting in appeal over the earlier Order, which is beyond the limited scope of review. We are therefore of the opinion that all material issues have already been comprehensively considered and decided with detailed reasoning in the original Order dated 16.01.2026 in Representation No. 102 of 2025, and no ground warranting interference under Regulation 22 of the CGRF & EO Regulations, 2020 is made out.

  
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9. The provisions with respect to review of orders passed by the undersigned is given in Regulation 22 of the CGRF & EO Regulations 2020. The relevant provision is quoted below:

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*“22 Review of Order of Electricity Ombudsman*

*22.1 Any person aggrieved by an order of the Electricity Ombudsman, including the Distribution Licensee, may apply for a review of such order within thirty (30) days of the date of the order to the Electricity Ombudsman, under the following circumstances:*

*(a) Where no appeal has been preferred;*

*(b) On account of some mistake or error apparent from the face of the record;*

*(c) Upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed.*


*22.2 An application for such review shall clearly state the matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or the mistake or error apparent from the face of the record.*

*22.3 The review application shall be accompanied by such documents, supporting data and statements as the Electricity Ombudsman may determine.*

*22.4 When it appears to the Electricity Ombudsman that there is no sufficient ground for review, the Electricity Ombudsman shall reject such review application: Provided that no application shall be rejected unless the Applicant has been given an opportunity of being heard.*

*22.5 When the Electricity Ombudsman is of the opinion that the review application should be granted, it shall grant the same provided that no such application will be granted without previous notice to the opposite side or party to enable him to appear and to be heard in support of the order, the review of which is applied for.”*

10. Upon perusal of the Review Application, it is evident that no error apparent on the face of the record has been established, nor has any new and important material—despite due

  
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diligence—been shown to have been unavailable at the time of the original proceedings. The grounds urged merely reiterate contentions already considered and adjudicated in the Order dated 16<sup>th</sup> January 2026. No fresh issue warranting reconsideration under Regulation 22 of the CGRF & EO Regulations, 2020 has been made out.

11. Hon'ble Supreme Court. In *Lily Thomas v. Union of India* (2000) 6 SCC 224, the Supreme Court held that review cannot be treated as an appeal in disguise and that rehearing of the matter on merits is impermissible. Similarly, in *Kamlesh Verma v. Mayawati* (2013) 8 SCC 320, the Court categorically held that review proceedings are not by way of an appeal and have to be strictly confined to the grounds mentioned in the relevant statute or rules. It was further held that repetition of old and overruled arguments is not enough to reopen concluded adjudication.


12. The Hon'ble Supreme Court in *State of West Bengal v. Kamal Sengupta* (2008) 8 SCC 612 explained that an error apparent on the face of record must be self-evident and should not require a long-drawn process of reasoning. A review cannot be entertained merely because another view is possible. Tested on the above principles, the present Review Application does not disclose any error apparent on the face of record. The Applicant has not demonstrated any patent mistake, arithmetical error, jurisdictional defect, or manifest illegality in the order dated 16<sup>th</sup> January 2026.

13. The Review Application is thus an attempt to re-argue the matter on merits, which is impermissible in review jurisdiction. No sufficient ground exists for interference under Regulation 22.

14. In view of the above, the Review Application filed by the Applicant is rejected on merits.

15. The representation of the Appellant is disposed of accordingly.

Sd/  
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