

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN, PLOT NO-4,
CHUNUKOLI, SHAILASHREE VIHAR,
CHANDRASEKHARPUR,
BHUBANESWAR - 751 021.**

Present : Shri S. P. Nanda, Chairperson
Shri S.P. Swain, Member
Shri A.K. Das, Member

Case No.88/2009

M/s Ganapati Ferro India (P) Ltd.	Petitioner
Vrs.		
CEO, WESCO & Others	Respondents

In the matter of: An application u/Ss.142, 146 &147 of the Electricity Act, 2003.

ORDER

Date of Order:27.07.2016

The petitioner M/s. Ganapati Ferro India (P) Ltd., Sarbahal Road, Jharsuguda has filed the above case u/S. 142 of the Electricity Act, 2003 for non-compliance of the order dated 18.12.2008 of the GRF, Burla passed in C.C.Case No. 90/2008.

2. The Commission heard the matter on three occasions and had also passed its interim orders. During hearing of the case, the counsel appeared on behalf of the Respondents had submitted that the respondents have challenged the said order of the GRF, Burla passed in C.C.Case No. 90/2008 before the Hon'ble High Court of Orissa in W.P.(C). No. 4158 of 2009, which is subjudice before the Hon'ble Court for adjudication. There is no interim order passed by the Hon'ble High Court in the above writ petition till date.
3. As the matter is pending for more than six years with the Commission, a letter was issued on 02.05.2016 to the petitioner and the respondents for filing of the present status of the case pending with the Hon'ble High Court in W.P.(C). No. 4158 of 2009 but neither the petitioner nor the respondents submitted their reply to the letter of the Commission.
4. As the parties herein have no submissions to this matter, we opine that there is no need to keep abeyance of the matter with us further. However, as the order dated 18.12.2008 is challenged by the respondents before the Hon'ble High Court in W.P.(C). No. 4158 of 2009 and the judgment of the Hon'ble High Court shall be applicable to the parties herein.
5. With the above observation the case is dropped accordingly.

Sd/-
(A.K. Das)
Member

Sd/-
(S.P. Swain)
Member

Sd/-
(S.P.Nanda)
Chairperson

