

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

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

Case No.141/2010

Sri Sukumar Behera	Petitioner
Vrs.		
E.E. (Elect), JED, Jaleswar, NESCO	Respondent

In the matter of: Application under Section 142 of the Electricity Act, 2003.

ORDER

Date of Order:25.07.2016

The petitioner Shri Sukumar Behera, Balasore Prop. of Kalyani Ice Factory of Rasalpur, Dehurda, Bhogarai, Balasore had filed the above noted case under Section 142 of the Electricity Act, 2003 for non-implementation of the award dated 09.07.2010 of the Appellate Authority-cum-Electrical Inspector (T&D), Balasore passed in Case No. 01/10 of 2009-10.

2. The above case was taken up for hearing on 10.11.2010 by the Commission and after hearing the parties and perusal of the case records, the Commission vide its interim order dated 10.11.2010 directed the respondent to serve the revised bill on or before 30.11.2010. After receiving the said revised bill, the petitioner should pay the amount of the final penal assessment, if any. Both the petitioner and the respondent thereafter should make a written submission regarding compliance of the aforesaid order of the Appellate Authority on or before 15.12.2010. As on date both the parties have not submitted their written submissions as per direction of the Commission vide order dated 10.11.2010.
3. As the matter is pending since 2010 with the Commission awaiting the written submission of the parties as per interim order dated 10.11.2010, again a letter was issued on 30.04.2016 to parties in this case for filing of present status of the matter within 15 days from the date of issue of that letter.
4. According to the said letter dated. 30.04.2016 neither the petitioner nor the respondent has filed their reply till date regarding status of the present case. Therefore basing on the records available in the case file, we opine that as the matter is pending with us since, 2010 and the

parties have not submitted their reply in accordance with the direction vide interim order dated 10.11.2010 of the Commission and also has not taken any step for early disposal of the case, there is no need to keep in abeyance the matter with the Commission any further and the case is hereby dismissed.

5. With the above directions, the case is disposed of.

Sd/-
(A.K. Das)
Member

Sd/-
(S.P. Swain)
Member

Sd/-
(S.P.Nanda)
Chairperson