

**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.160/2010

Sri Gurudeep Singh Chabra	Petitioner
Vrs.		
E.E. (Elect), KEED, Kalahandi, WESCO	Respondent

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

ORDER

Date of Order:27.07.2016

The petitioner Sri Gurudeep Singh Chabra Director of M/s. Natural Organic Firms, Kesinga, Kalahandi has filed the above noted case under Section 142 of the Electricity Act, 2003 for non-compliance of the Order dated 23.08.2010 of the Ombudsman-II passed in C.R.Case No. Omb(II) W-09 of 2010.

2. The above case was taken up for hearing on 22.12.2010. During hearing the representative of WESCO (now WESCO Utility) submitted that the Respondent has challenged the aforesaid order of the Ombudsman-II passed in C.R.Case No. Omb(II) W-09/2010 before the Hon'ble High Court of Orissa in W.P.(C). No. 22302 of 2010 and the Hon'ble High Court vide their interim order dated 05.01.2011 in Misc. Case No. 86 of 2011 has stayed the operation of the impugned order of the above Ombudsman-II passed in C.R.Case No. Omb(II) W-09/2010 until further orders. The said interim order of the Hon'ble High Court is still continuing.
3. As the matter is pending since longtime with the Commission, a letter was issued on 30.04.2016 to the parties in this proceeding for filing of present status of the above writ petition pending with the Hon'ble High Court in W.P.(C). No. 22302 of 2010.
4. In response to the above letter of the Commission neither the petitioner nor the respondent have filed their reply to the Commission till today regarding status of the writ petition pending with the Hon'ble High Court for adjudication.
5. We therefore, opine that there is no need to keep in abeyance the matter with the Commission as the matter is pending since 2010 and the said order of the Ombudsman-II is challenged in W.P.(C). No. 22302/2010 by the respondent. The Hon'ble High Court has passed an interim order of stay which is now continuing and the final outcome of the above writ petition is applicable to the parties herein.
6. With the above observation, the case is disposed of.

Sd/-
(A.K. Das)
Member

Sd/-
(S.P. Swain)
Member

Sd/-
(S.P.Nanda)
Chairperson