

ODISHA ELECTRICITY REGULATORY COMMISSION

Bidyut Niyamak Bhavan, Plot No.4, Chunokoli, Sailashree Vihar, Bhubaneswar- 751 021

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

Case No. 38/2010

Smt. Rupashree Mahanty, Petitioner
Managing Trustee, Siddheswar Educational Trust
At/PO-Ananda Road, Balasore.

Vrs.
Executive Engineer, NESCO
Basta Electrical Division, Basta Respondent

In the matter of: U/s 142 of the Electricity Act, 2003.

ORDER

Date of Order:21.06.2016

The petition was filed u/S. 142 of Electricity Act, 2003 by the above named petitioner by serving copy on Executive Engineer, Basta Electrical Division, Basta. The interim order was passed by this Commission on 25.06.2010. During pendency of the case with the Commission, the Respondent moved to the Hon'ble High Court in WP(C) No.463 of 2010 challenging the order of the Appellate Authority passed u/S. 127 of the Electricity Act, 2003 in Case No.04 of 2009. As the matter was under adjudication before Hon'ble High Court of Orissa and the status was not informed to the Commission by the parties herein, therefore, the Commission sought present status of the matter to the petitioner Smt. Rupashree Mohanty and the respondent Executive Engineer, NESCO Utility, Basta Electrical Division and SDO (Ele.), NESCO Utility, Basta Electrical Division. The Executive Engineer submitted through an affidavit that WP(C) No.463 of 2010 has been decided by Hon'ble High Court of Orissa by upholding the order of the Appellate Authority, Balasore passed in Case No.4 of 2009

and they have initiated the process for implementing the order of Appellate Authority in Case No.4 of 2009. The petitioner Smt. Rupashree Mohanty also submitted on 19.05.2016 through affidavit that the case has already been settled and they do not want to proceed further and requested to drop the matter.

2. Accordingly, since both the parties have reconciled and respondent has agreed to implement the said order of the Appellate Authority, Balasore passed in Case No.4 of 2009, there is no need to proceed further u/S. 142 of the Act. The Respondent is directed to implement the order of Appellate Authority, Balasore passed u/S. 127 of the Electricity Act, 2003 in Case No.4 of 2009 as upheld by the Hon'ble High Court immediately preferably within three weeks.
3. The case is dropped and closed.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S. P. Nanda)
Chairperson