

**ODISHA ELECTRICITY REGULATORY COMMISSION
PLOT NO. 4, CHUNUKOLI, SHAILASHREE VIHAR,
CHANDRASEKHARPUR,
BHUBANESWAR-751021

Case No.83/2011

M/s. ENZEN Global Solutions (P) Ltd., Petitioner

Vrs.

The Chief Executive Officer (Comm.), NESCO, WESCO and SOUTHCO & Others
..... Respondents

In the matter of : An application under Sections 142 and 146 of the Electricity Act, 2003, challenging the inaction of Opposite Parties in implementing the decision and/or order dated 29.08.2011 of OERC, which was passed pursuant to the Resolution of disputes between DISCOMs (WESCO, NESCO & SOUTHCO) and M/s. ENZEN Global Solution Pvt. Ltd under mediation of the Commission.

AND

Case No. 69/2012

M/s. NESCO UtilityPetitioner

Vrs.

M/s. Enzen Global Solutions (P) Ltd.Respondent

IN THE MATTER OF : Application Under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulation 70(1) of the OERC (Conduct of Business) Regulations, 2004 for review of the Order dated 29.08.2011 passed by the Commission in Case No. 83 of 2011.

ORDER

Dated.29.07.2016

The present case arises out of non-compliance of the interim order by NESCO Utility (the then NESCO) passed in Case No. 83/2011 where the Commission had directed the parties M/s. ENZEN Global Solution (P) Ltd. and WESCO, NESCO & SOUTHCO (named as Utilities after revocation of their licences vide order dated 04.03.2015 in Case No.55/2013) to resolve the issues under mediation. M/s. NESCO (Utility) had also sought the review of the order passed in Case No. 83/2011 which had been registered as Case No. 69 of 2012. The above cases were heard analogously

as they are arising out of the said resolution meetings between the petitioner and the NESCO, WESCO & SOUTHCO Utilities.

2. The Commission vide its interim order dated 05.02.2013 in Case No. 83/2011 had directed the petitioner and the respondents herein to sit together for amicable settlement of their disputes and for submission of the said amicable settlement report within 3 weeks from the date of the interim order and any dispute remains thereafter, the case may be taken up for further hearing by the Commission.
3. According to the said interim order dated 05.02.2013, the petitioner and the respondents had sit together for amicable settlement of their disputes on 12.08.2013, and finally SOUTHCO Utility signed the amicable settlement report on 25.06.2015 and NESCO Utility on 30.05.2013. In the meantime, M/s. Enzen Global Solution Pvt. Limited had also cleared all the outstanding dues of the Utilities in respect of realization of Govt. arrear and special rebate availed by the consumer during 2011-12. The said compliance report has been submitted by the Distribution Utilities through affidavit, which is taken on record. Therefore, there is no need for further hearing of the matter pending with the Commission since 2011 as their disputes had already been resolved through amicable settlement.
4. Accordingly, both the cases are disposed of.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S.P. Nanda)
Chairperson