

ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012

Case No. 43/2013

M/s. Hindustan Retradings **Petitioner**

- Vrs. -

Executive Engineer (Elect.), JED,Jeypore,Koraput **Respondent**

IN THE MATTER OF : An Application under S.142 of the Electricity Act, 2003 for non-implementation of order dated 28.01.2013 of the Ombudsman-II, Bhubaneswar passed in C.R.Case No. S-11 of 2012.

Order

Dated.14.08.2014

The petitioner M/s. Hindustan Retradings of Jeypore, District-Koraput in the supply area of SOUTHCO under the Executive Engineer (Elect.), JED, Jeypore, SOUTHCO had filed an application u/S. 142 of the Electricity Act, 2003 for non-implementation of order dated 28.01.2013 of the Ombudsman-II, Bhubaneswar passed in C.R.Case No.S-11 of 2012.

During pendency of the above petition for adjudication, the Commission has issued show cause notice on 23.11.2013 to the respondent as to why a proceeding u/S. 142 of the Electricity Act, 2003 will not be initiated against him for the above lapses on their part, failing which it will be presumed that he has no cause to show and suitable action will be taken against him in accordance with law.

In response to the above show cause notice of the Commission, the Executive Engineer (Elect.), JED, Jeypore, SOUTHCO has filed compliance report on 23.12.2013 stating therein that against the impugned order dated 28.01.2013 of the Ombudsman-II, Bhubaneswar passed in C.R.Case No.S-11 of 2012 the Respondent herein has filed an Writ Petition bearing W.P.(C) No.13374 of 2013 before the Hon'ble High court of Orissa with due intimation of the same to the petitioner and the Hon'ble Court has been pleased to issue notice to the Petitioner in the present case for appearance and filing of counter reply and the case is still pending for disposal.

Therefore, there is no need to proceed in the present case and accordingly the proceeding under Section 142 against respondent is dropped. The decision of the Hon'ble High Court passed in W.P.(C) No.13374 of 2013 shall be binding on both the parties.

The present order be placed in the website of the Commission and communicated to the parties.

By Order of the Commission

Sd/-

S E C R E T A R Y