

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

Case No. 98/2013

M/s. Tarini Stone Crusher **Petitioner**

- Vrs. -

Executive Engineer (Elect.), AED, Anandapur, NESCO **Respondent**

IN THE MATTER OF: An Application under S.142 of the Electricity Act, 2003 for non implementation of order dated 22.06.2013 passed in Case No. 130/2013 & order dated 22.06.2013 passed in Case No. 129/2013 of the GRF, Jajpur Road so also order dated 31.10.2013 passed in C.R.Case no.Omb(II)N-61 of 2013 & order dated 31.10.2013 passed in C.R.Case no.Omb(II)N-62 of 2013 of he Ombudsman-II.

Order

Dated. 22.08.2014

The petitioner M/s. Tarini Stone Crusher of Mundatanjar, P.o: Pipilia, Ghatagoan, Dist-Keonjhar in the supply area of NESCO under the Executive Engineer (Elect.), AED, Anandapur, NESCO had filed an application u/S. 142 of the Electricity Act, 2003 for non-implementation of order dated 22.06.2013 passed in C.C. Case Nos. 129 & 130/2013 of the GRF, Jajpur Road so also Order dated 30.10.2013 passed in C.R. Case No. OM-II (N)-61/2013 and Order dated 31.10.2013 passed in C.R. Case No. 62/2013 of the Ombudsman-II.

During pendency of the above petition for adjudication, the Commission has issued show cause notice on 26.07.2014 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 his 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.), AED, Anandapur, NESCO has filed reply on 12.08.2014 stating therein that against the impugned order dated 22.06.2013 passed in C.C. Case Nos. 129 & 130/2013 of the GRF, Jajpur Road and also the order dated 30.10.2013 passed in C.R. Case No. OM-II (N)-61/2013 and Order dated 31.10.2013 passed in C.R. Case No. 62/2013 of the

Ombudsman-II, the Respondent herein has filed an Writ Petition bearing W.P. (C) No.2154/2014 along with an application in Misc. Case No. 2112/2014 for stay of operation of the above impugned orders of the GRF, Jajpur Road and Ombudsman-II before the Hon'ble High Court of Orissa. The Hon'ble High Court in their order dated 12.05.2014 in the above Misc. case has been pleased to stay the operation of the above impugned orders passed by the GRF, Jajpur Road and also operation of the impugned order passed by the Ombudsman-II.

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. 2154 of 2014 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