

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

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

Case No. 08 of 2014

M/s. Protection Manufacturers Pvt. Ltd.	Petitioner
Vrs.		
E.E. (Elect.), Khurda, CESU	Respondent

In the matter of: An application u/S. 142 of the Electricity Act, 2003 regarding disconnection of power supply in contravention to the interim order of the GRF, CESU, Khurda.

ORDER

Date of order:10.06.2014

1. The petitioner in this case is a large industrial consumer of CESU. The petitioner approached GRF on billing disputes with CESU. A case was registered in the GRF with a prayer to direct CESU to refund money arising out of erroneous billing. During continuance of that proceeding, GRF- Khurda had issued an interim order dated 20.12.2013 restraining CESU from disconnecting power supply to the petitioner until the case was disposed of. The petitioner claims that despite the restraining order of the GRF, CESU disconnected the power supply on 14.01.2014. Hence, the petitioner now prays before this Commission to take action against respondent CESU for non-compliance of the GRF Order under Section 142 of the Electricity Act.
2. After filing of the present case by the petitioner Commission had issued a show-cause notice to the respondent on 07.02.2014. CESU has submitted its reply stating that the order of the GRF-Khurda was situation specific. The petitioner is a regular defaulter of payment of electricity dues for which CESU was compelled to disconnect the power supply on 14.01.2014 and again on 24.01.2014 when a cheque submitted by the petitioner towards payment of electricity dues for which he approached GRF, was dishonoured by the Bank. In the mean time, the final judgement of GRF in said case has been issued on 31.01.2014. In view of the disposal of the main case, the interim orders passed during the course of hearing

have merged with the final order. Therefore, the demand by the petitioner to implement the interim order, has automatically become in-fructuous. Hence there is no merit in the present case filed by the petitioner.

3. After going through submission of both the Petitioner and the respondent we find that since final judgement in GRF case has already been issued, insisting on the implementation of the interim order has become meaningless. The final order takes care of all the interim orders. Therefore, we feel there is no need of continuing in the present proceeding under Section 142 of the Act and the proceeding is dropped.
4. Accordingly, the case is disposed of.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S. P. Nanda)
Chairperson