

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

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

**Case No. 24/2014**

M/s. Orissa Engineering Works	.....	Petitioner
Vrs.		
E.E. (Elect.), Joda Electrical Division,		
Joda, NESCO Utility, Keonjhar	.....	Respondent

**In the matter of:      An application under Section 142 of the Electricity Act, 2003.**

**ORDER**

**Date of Order:28.06.2016**

M/s. Orissa Engineering Works, Barbail, Keonjhar has filed the above noted Case u/S. 142 of the Electricity Act, 2003 for non-implementation of order dated 24.01.2014 of the Ombudsman-II passed in C.R.Case No. Omb-II N-59/2013 and also order dated 30.05.2013 of the GRF, Jajpur Road passed in C.C.Case No. 108 of 2013.

2. Basing on the said application u/S. 142 of the Electricity Act, 2003, a show cause notice was issued on 21.03.2014 to the authorities of NESCO Utility for filing of reply as to why a proceeding under Section 142 of the said Act will not be initiated for non-compliance of the above orders of the Forum. In reply to the said show cause, the respondent has submitted that NESCO Utility has challenged the said orders of the GRF, Jajpur passed in C.C.Case No. 108 of 2013 and also order dated 24.01.2014 of the Ombudsman-II in C.R.Case No. Omb (II) N-59/2013 before the Hon'ble High Court of Orissa in W.P.(C). No. 20039 of 2014 and the Hon'ble Court has granted stay of operation of the above orders of the Fora vide their interim order dated 29.10.2014 in Misc. Case No. 17505 of 2014.
3. Thereafter, a letter was issued on 02.05.2016 to the parties in this case for filing present status of the matter pending before the Hon'ble High Court in W.P.(C). No. 20039 of 2014. In reply to the said letter both the petitioner and the respondent filed their reply through affidavit stating therein that the interim stay order of the Hon'ble High Court is still continuing.
4. We therefore find that there is no need to keep in abeyance the matter with us as the matter is subjudice before the Hon'ble High Court in W.P. (C). NO. 20039/2014 and the final outcome of the said writ petition will be applicable to the parties herein.
5. Accordingly, the case is dropped.

Sd/-  
**(A.K. Das)**  
Member

Sd/-  
**(S.P. Swain)**  
Member

Sd/-  
**(S.P. Nanda)**  
Chairperson