

**ODISHA ELECTRICITY REGULATORY COMMISSION**  
**BIDYUT NIYAMAK BHAWAN**  
**UNIT-VIII, BHUBANESWAR - 751 012**  
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**Present:      Shri S. P. Nanda, Chairperson**  
**Shri S. P. Swain, Member**

**Case No. 33/2014**

M/s Bhagabati Stone Products	.....	Petitioner
Vrs.		
E.E.(Elect.), KED, CESU & another	.....	Respondents

**In the matter of:      An application u/S.142 of the Electricity Act, 2003 for non-implementation of the order dated 07.12.2013 of the Ombudsman-I passed in C.R. Case No. Omb (I)-74 of 2013.**

**For Petitioner:**      Shri A.K.Sahani, the authorized representative.

**For Respondent:**      Shri Manoj Kumar Das, E.E. (Elect.), Khurda Electrical Division, CESU.

**Order**

**Date of hearing: 25.08.2015**

**Date of order: 25.08.2015**

The present application has been filed by M/s Bhagabati Stone Products, Aiginia, Khandagiri, Bhubaneswar for non-implementation of Order dated 07.12.2013 of the Ombudsman-I passed in C.R. Case No. 74/2013 by the respondent, E.E. (Elect.), KED, CESU.

2. The Respondent has filed its reply to the notice to show cause dated 25.04.2014 issued by the Commission wherein it has mentioned that the respondent herein has challenged the order of the Ombudsman-I passed in C.R. Case No. 74/2013 before the Hon'ble High Court in W.P.(C). No.10710/2014. The Hon'ble Court vide their interim order dated 30.07.2014 in Misc. Case No. 11122/2014 has been stayed the operation of the above order passed by the Ombudsman-I till the next date.
3. We are not inclined to interfere in the above case at present as the said order of the Ombudsman-I passed in C.R. Case No. 74/2013 is sub-judice before the Hon'ble High Court of Orissa in W.P. (C). No. 10710/2014 and the final order of the Hon'ble Court will be applicable to the parties herein. There is no need to keep the matter pending before the Commission and hence dropped.
4. With the above observation the case is disposed of.

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

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

