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

Present : Shri S. P. Nanda, Chairperson

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

Case No. 20/2015

Shri Jayanta Kumar Biswal ....... Petitioner

Vrs.

E.E.(Elect.), CESU, CDD-II ....... Respondent

In the matter of: An application under S.142 of the Electricity Act, 2003 for non-

implementation of the order dated 13.01.2015 of the Appellate Authority-cum-Electrical Inspector (T&D), Anugul passed in Case

No. 07/2014.

For Petitioner: Nobody present

For Respondents: Shri S.C.Dash, Advocate.

## **ORDER**

Hearing Date: 17.06.2016 Date of Order:20.06.2016

Shri Jayanta Kumar Biswal, M/s. Hotel Heaven Inn & Restaurant, Kathajodi Road, Cuttack has filed the above noted Case u/S. 142 of the Electricity Act, 2003 for non-implementation of the order dated 13.01.2015 of the Appellate Authority passed in Case No. 07 of 2015 u/S. 127 of the Electricity Act, 2003.

- 2. The case is taken up today for hearing on question of admission as well as on merit.
- On repeated calls, nobody is present on behalf of the petitioner. The counsel present on behalf of the respondent stated that in the last occasion during hearing of the above case on 6.10.2015, the petitioner was also absent and the matter was dismissed for default for non-appearance and thereafter, the case was restored by filing of a restoration application by the petitioner. Now this time the same thing has happened. He also submitted that the Respondent herein has challenged the said order of the Appellate Authority passed in Case No. 7/2014 before the Hon'ble High Court of Orissa in W.P.(C). No. 11168 of 2015 and the same is pending for adjudication by the

Hon'ble High Court. There is no stay order passed by the Hon'ble High Court in the above writ petition.

4. The case is dismissed for default for non-appearance of the petitioner on repeated calls. However, the final outcome in W.P. (C). No. 11168 of 2015 which is pending with the Hon'ble Court would be applicable to the parties herein.

Sd/-Sd/-(A. K. Das)(S. P. Swain)(S. P. Nanda)MemberMemberChairperson