

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

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

Case No. 03/2016

Shri Umesh Chandra SatpathyPetitioner
Vrs.	
E.E.(Elect.), Dhenkanal, CESU & Another Respondents

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

ORDER

Date:17.06.2016

- M/s. Reliance Industries Limited, Laxminagar, Boupur, Dhenkanal has filed the above noted case u/S. 142 of the Electricity Act, 2003 for non-implementation of order dated 28.11.2015 passed in C.R.Case No. Om (I)-73/2015 of the Ombudsman-I.
2. During pendency of the above application u/S. 142 of the Electricity Act, 2003 with the Commission a show cause notice dated 21.01.2016 was issued to the respondent for filing of reply why a proceeding under Section 142 of the Electricity Act, 2003 shall not be initiated against him for lapses of non-implementation of the above order of the Ombudsman-I.
 3. In obedience to the said show-cause notice dated 21.01.2016, the Respondent No-1 the Executive Engineer (Elect.), Dhenkanal Electrical Division, Dhenkanal has filed its reply stating therein that the Respondent No-1 has challenged the said order dated 28.11.2015 of the Ombudsman-I passed in C.R.Case No. OM (I)-73/2015 before the Hon'ble High Court of Orissa in W.P.(C). No. 2749/2016. The Hon'ble Court has been pleased to granted stay of operation of the above order of the Ombudsman-I passed in C.R.Case No. OM (I)-73/2015 in Misc. Case No. 2592 of 2016 which is continuing till date.
 4. After perusal of the case records, we opine that there is no need to keep the matter in abeyance with the Commission as the Hon'ble High Court has granted stay of operation of the order of the Ombudsman-I passed in C.R.Case No. OM (I)-73/2015 in W.P.(C). No. 2749 of 2016 and the final judgment of the Hon'ble Court in above writ petition will be applicable to the parties herein.
 5. Accordingly, the application u/S. 142 of the Electricity Act, 2003 is dropped.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S. P. Nanda)
Chairperson