

**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. 32/2016

M/s. Arun Steel Industries (P) Ltd.Petitioner
Vrs.	
E.E.(Elect.), RED, WESCO Utility Respondents

In the matter of: An application under Section Sec. 142 of the Electricity Act, 2003 for non-implementation of order dated 27.10.2014 passed by the Ombudsman-II in C.R. Case No. Omb(II) W-03 of 2014.

ORDER

Date:19.07.2016

- The petitioner M/s. Arun Steel Industries (P) Limited, Jia Bahal, Sundargarh has filed the above noted case u/S. 142 of the Electricity Act, 2003 for non-implementation of order dated 27.10.2014 of the Ombudsman-II passed in C.R.Case No. Om (II)-W-03/2014.
2. Basing on the application of the above named petitioner, the Commission has issued show cause notice dated 04.07.2016 to the authorities of the WESCO Utility for filing of reply as to why a proceeding will not be initiated as per the provision under Section 142 of the Electricity Act, 2003 for non-compliance of the above order of the Ombudsman-II passed in C.R. Case No. Omb (II) W-03/2014. In reply to the said show cause, the respondent has submitted that WESCO Utility has challenged the said order dated 27.10.2014 of the Ombudsman-II passed in C.R.Case No. Omb(II) W-03/2014 in W.P.(C). No. 24820 of 2014 before the Hon'ble High Court of Orissa. The Hon'ble High Court vide their interim order dated 23.12.2014 in Misc. Case No. 22219 of 2014 arising out of W.P.(C). No. 24820 of 2014 has stayed the impugned order dated 27.10.2014 passed by Learned Ombudsman-II and the said interim order is continuing till date.
3. After going through the case records and the reply filed by the Respondent herein, we opine that there is no need to keep in abeyance the matter with us as the Hon'ble High Court has already granted stay of operation of the order dated 27.10.2014 of the Ombudsman-II passed in C.R. Case No. OM (II)-W-03/2014. Therefore, the final order of the Hon'ble High Court in above writ petition shall be applicable to the parties herein and accordingly the case is disposed of.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S. P. Nanda)
Chairperson