

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.-4, CHUNAKOLI, SHAILASHREE VIHAR
BHUBANESWAR - 751 021**

**Present: Shri A. K. Das, Member/ Chairperson
 Shri S. K. Parhi, Member**

Case No. 39/2016

M/s. IDEA Cellular Infrastructure Services Ltd	Petitioner
Vrs.		
E.E, TED, CESU & Another	Respondents

In the matter of: An application under S. 142 of the Electricity Act, 2003 for non-compliance of Order dated 16.05.2016 of the Ombudsman-I passed in C.R. Case No.OM(I) -35 of 2016.

For Petitioner: Shri A.K.Sahani, authorized representative of M/s. IDEA Cellular Infrastructure Services Ltd.

For Respondent: Shri Debaranjan Ray, Advocate on behalf of E.E.(Elect.), TED, Chainpal, CESU.

Order

Date of hearing: 29.11.2016

Date of order:01.12.2016

The petitioner M/s. Idea Cellular Infrastructure Services Ltd. has filed the above noted case under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 16.05.2016 of the Ombudsman-I passed in C.R.Case No. 35/2016 by the authorities of Talcher Electrical Division, CESU.

2. The case is taken up today for hearing on question of admission as well as on merit.
3. During hearing the learned counsel appearing on behalf of the respondent has submitted that CESU has challenged the said order dated 16.05.2016 of the Ombudsman-I passed in C.R.Case No. 35/2016 along with the order dated 14.09.2015 of the GRF, Dhenkanal passed in C.C.Case No. 347/2015 before the Hon'ble High Court in W.P.(C) No.17521 of 2016. The Hon'ble Court has been pleased to stay of operation of the above orders of the Forums vide their order dated 07.10.2016 in Misc. Case No. 16326 of 2016 in the above writ petition.
4. After hearing the parties and perusal of the case records, we opine that since there is an interim stay of operation of the above orders of the Ombudsman-I and the GRF, Dhenkanal in W.P.(C). NO. 17521/2016, there is no need to kept in abeyance the present proceeding in this Forum. The outcome of the proceeding in WP(C) No. 17521/2016 shall be applicable to both the parties.
5. With the above observation, the case is dropped.

**Sd/-
(S. K. Parhi)
Member**

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