

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

**Present: Shri U. N. Behera, Chairperson
 Shri A. K. Das, Member
 Shri S. K. Parhi, Member**

Case No. 40/2017

Shri Harsabardhan Jena	Petitioner
Vrs.		
EE, BED, Kuakhia, NESCO Utility & Others	Respondents

In the matter of: An application under Sec.142 of the Electricity Act, 2003 for non-implementation of Order dated 25.06.2014 of the GRF, Jajpur Road in Case No. 26/2014.

For Petitioner: Shri A. K. Sahani, the authorised representative.

For Respondents: Shri Ashok Kumar Nayak, Executive Engineer (Elect.), Kuakhia, KED, NESCO Utility.

ORDER

Date of hearing: 10.04.2018

Date of order: 25.04.2018

- The representative of the petitioner has submitted that the petitioner has filed the above noted case under Section 142 of the Electricity Act, 2003 for non-implementation order dated 25.06.2014 of the GRF, Jajpur Road passed in C.C. Case No. 26/2014. He further submitted that without implementing the direction of the GRF, Jajpur Road, the respondent has moved to the Hon'ble High Court in W.P. (C). No. 25586/2014 for quashing the directions of the GRF Jajpur Road passed in C.C Case No. 24/2014.
2. The representative of the respondent submitted that the NESCO Utility has challenged the order dated 25.06.2014 of the GRF, Jajpur Road passed in C.C. Case No. 26/2014 before the Hon'ble High Court of Orissa in W.P.(C). No. 25586/2014 and the Hon'ble Court has passed an interim stay of operation of the above order of the GRF, Jajpur Road and the proceeding in the present case be kept in abeyance.
 3. After hearing of the parties and perusal of the case records, we opine that as the matter is sub-judice before the Hon'ble High Court in W.P.(C) No. 25586 of 2014 and the Hon'ble Court has stayed the impugned order dated 25.06.2014 of the GRF, Jajpur Road passed in C.C. Case No. 26/2014 in Misc. Case No. 13595/2017 vide order dated 05.12.2017, there is no need to proceed further in the case. The outcome of the above writ petition shall be applicable to the parties herein.
 4. With the above observation, the case is disposed of.

Sd/-
(S. K.Parhi)
Member

Sd/-
(A. K. Das)
Member

Sd/-
(U. N. Behera)
Chairperson

