

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

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

**Case No. 01/2018**

<b>M/s. Scan Steels Ltd.</b>	.....	<b>Petitioner</b>
<b>Vrs.</b>		
<b>The E.E (Elect.), RED, WESCO Utility</b>	.....	<b>Respondent</b>

**In the matter of:**      **An application under Section 142 of the Electricity Act, 2003 for non-implementation of Order dated 23.11.2017 of the Ombudsman-II passed in C.R. Case No. OM(II) W-11 of 2017.**

**For Petitioner:**      Shri Runvijay Singh, Director.

**For Respondent:**      Shri Amaresh Chandra Bal, AM (Law), WESCO Utility.

**ORDER**

**Date of hearing: 14.08.2018**

**Date of order: 04.09.2018**

The petitioner M/s. Scan Steel Limited, Rajgangpur has filed the above case under Section 142 of the Electricity Act, 2003 for non-implementation of Order dated 23.11.2017 of the Ombudsman-II passed in C.R. Case No. OM (II) W-11 of 2017 wherein that forum had directed the respondent to recalculate the power factor in accordance with the OERC Regulations on the basis of parameters of total load drawn as indicated on the ABT meter and revise the energy bill for power factor penalty during open access period and serve the copy of the same to the consumer within 30 days from receipt of the acceptance letter of the consumer.

2. The case is taken up today for hearing. During hearing the representative of the petitioner company prayed for withdrawal of the above case as the issues in this case are settled amicably with WESCO Utility. He also submitted that WESCO Utility has obtained an interim stay of operation of the impugned order passed by the Ombudsman-II in C.R. Case No. OM(II) W-11 of 2017 from the Hon'ble High Court of Orissa in W.P.(C). No. 2970/2018.

3. The representative of the WESCO Utility Stated that Hon'ble High Court of Orissa in their order dated 16.07.2018 in WP(C) No. 2970/2018 have granted interim stay against the Order dated 23.11.2017 of the Ombudsman-II passed in C.R. Case No. OM(II) W-11 of 2017. Therefore, the Utility has no objection for withdrawal of the present case.
4. Prayer for withdrawal of case by the petitioner is allowed. The case is dismissed as withdrawn.

Sd/-

**(S. K. Parhi)**  
**Member**

Sd/-

**(A. K. Das)**  
**Member**

Sd/-

**(U. N. Behera)**  
**Chairperson**