
2. Due to Covid-19 pandemic situation the Commission had decided to hear the matter through Video Conferencing in the Virtual Court on 06.10.2020. Accordingly the parties had been intimated.

3. The counsel for the petitioner has submitted that the Commission vide their interim order dated 04.08.2020 had directed the respondent to file an affidavit stating therein if the entire order of the GRF, Berhampur has been stayed along with the original copy of the stay order.
4. The counsel for the respondent has submitted that being aggrieved with the order dated 12.06.2018 of the GRF passed in C.C. Case No.145 of 2018, they have has filed a writ petition bearing W.P.(C). No. 14497/2019 before the Hon'ble High Curt of Orissa with an application in I.A. No. 11362/ 2019 for stay of the operation of the above order passed by the GRF-Berhampur. The Hon'ble Court vide their interim order dated 14.01.2020 has been pleased to stay the operation of the order of the GRF-Berhampur passed in C.C. Case No. 145 of 2018. The said order of the Hon'ble Court is as follows:-

“ As an interim measure, it is directed that order dated 12.06.2018 under Annexure-1 passed by the GRF-Berhampur in respect of direction to refund the remunerative benefit cost for capital works, basing on estimate and actual execution as per procedure of remuneration norms and Regulation-13 of the OERC (Conditions of Supply) Code, 2004 shall remain stayed till the next listing.”

5. He further has submitted that it is very clear from the above order of the Hon'ble High Court of Orissa that the operation of the entire order passed by the GRF-Berhampur on 12.06.2018 in Case No. 145 of 2018 has been stayed. Thereafter, the above writ petition has not been taken up by the Hon'ble Court for adjudication. He prays the Commission to drop the present proceeding as the judgement of the Hon'ble High Court which will be passed in W.P.(C). No. 14497/2019 shall be applicable to both the parities.
6. After hearing the parties, the Commission opines that there is no need to proceed further in the present case as the said order of the GRF-Berhampur in Case No. 145 of 2018 has been stayed by the Hon'ble High Court in W.P.(C) No.14497 of 2019. The order to be passed by the Hon'ble High Court in the above writ petition shall be binding on the parties herein.
7. With the above observation, the case is disposed of.

Sd/-
(G. Mohapatra)
Member

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson