

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

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

Case No. 40/2019

Sri Ranjan Dey Petitioner

Vrs.

S.D.O (Elect.), Electrical Sub-Division No. IV,
Koelnagar, WESCO Utility Respondent

In the matter of: Application under S. 142 of the Electricity Act, 2003 for Non-Compliance of the order dated 27.8.2018 passed in Case No. AAC No 07/2016-17 of the Appellate Authority-cum-E.E-cum-Dy. Electrical Inspector, Rourkela.

For Petitioner: Shri A. K. Sahani, the authorized representative of the petitioner

For Respondent: Shri K. C. Nanda, DGM (Fin.), WESCO Utility.

ORDER

Date of hearing: 06.08.2019

Date of order: 19.08.2019

The representative of the petitioner submitted that they have filed the present petition under Section 142 of the Electricity Act, 2003 for non-compliance of the order dated 27.08.2018 passed in Case No. AAC No 07/2016-17 of the Appellate Authority-cum-E.E-cum-Dy. Electrical Inspector, Rourkela, by the respondent.

2. The representative of the respondent submitted that being aggrieved by order dated 27.08.2018 passed in Case No. AAC No 07/2016-17 of the Appellate Authority-cum-E.E-cum-Dy. Electrical Inspector, Rourkela, WESCO Utility has moved to the Hon'ble High Court of Orissa in W.P.(C) No. 15 of 2019 and the Hon'ble Court have stayed the operation of the above order of the Appellate Authority (vide their order dated 02.08.2019 in I.A No. 12/2019).
3. After hearing the parties and perusal of the case records we observe that the Respondent has challenged the order dated 27.08.2018 passed in Case No. AAC No 07/2016-17 of the Appellate Authority-cum-E.E-cum-Dy. Electrical Inspector, Rourkela before the Hon'ble High Court of Orissa in W.P.(C) No. 15 of 2019. The Hon'ble Court have stayed the operation of the above order of the Appellate Authority-cum-E.E-cum-Dy.

Electrical Inspector, Rourkela vide their order dated 02.08.2019 in Misc Case No. 12/2019 and the said interim stay order shall continue till the next date. Therefore, we opine that the outcome of W.P.(C) No. 15 of 2019 which is pending before the Hon'ble High Court shall be applicable to both the petitioner and the respondent herein.

4. With the above observation the case is disposed of.

Sd/-

(S. K. Parhi)
Member

Sd/-

(U. N. Behera)
Chairperson