

**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. 55/2019**

Sri Bhimsen Lenka	.....	Petitioner
Vrs.		
The S.D.O (Elect.), Electrical Sub-Division Kuakhia, NESCO Utility	.....	Respondent

**In the matter of:**       Application under Section 142 of the Electricity Act, 2003 for Non-implementation of order dated 16.04.2019 passed in Case No. AAC No 01/2018 of the Appellate Authority-cum-E.E-cum-Dy. Electrical Inspector, Jajpur Road.

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

**For Respondent:**     Nobody is present.

**ORDER**

**Date of hearing: 15.10.2019**

**Date of order:15.10.2019**

The petitioner Sri Bhimsen Lenka, Jajpur has filed the above case under Section 142 of the Electricity Act, 2003 for non-implementation of Order dated 16.04.2019 of the Appellate authority-cum-E.E.-cum-Dy. Electrical Inspector, Jajpur passed in Case No.AAC No. 01/2018 by the S.D.O(Elect.),Electrical Sub-Division, Kuakhia, NESCO Utility. The Appellate Authority while disposing of the matter under Section 127 of the Electricity Act, 2003 by quashing the final assessment order of the Assessing Officer has directed the respondent to refund Rs.5,000/- to the Appellant-petitioner herein through adjustment of such amount in the monthly bills of the petitioner and file such compliance within 60 days from the date of receipt of the order. As the said order of the Appellate authority has not been complied by the Respondent, the petitioner has filed the above case before the Commission for implementation of the said order of the Appellate authority passed in Case No.AAC No. 01/2018.

2. The respondent submitted his show cause reply stating therein that the order dated 16.04.2019 of the Appellate authority-cum-E.E.-cum-Dy. Electrical Inspector, Jajpur passed in Case No. AAC No. 01/2018 by the S.D.O (Elect.), Electrical Sub-Division, Kuakhia, NESCO Utility has been implemented by the respondent and the same would be reflected in the energy bill of the petitioner for the month of September, 2019 which would be served in the month of October, 2019.
3. The authorised representative of the petitioner submits that the above order of the Appellate authority-cum-E.E.-cum-Dy. Electrical Inspector, Jajpur passed in Case No. AAC No. 01/2018 by the S.D.O (Elect.), Electrical Sub-Division, Kuakhia, NESCO Utility has been implemented in the meantime by the respondent. Therefore, he prays the Commission to drop the above proceeding.
4. Prayer of the petitioner to drop the present proceeding under Section 142 of the Electricity Act, 2003 is allowed as the above order of the Appellate authority-cum-E.E.-cum-Dy. Electrical Inspector, Jajpur passed in Case No. AAC No. 01/2018 has been implemented by the respondent.
5. Accordingly, the case is dropped.

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

Sd/-  
**(U. N. Behera)**  
**Chairperson**