

**ODISHA ELECTRICITY REGULATORY COMMISSION
BUDYUT NIYAMAK BHAWAN
PLOT NO.-4, CHUNOKOLI, SHAILASHREE VIHAR
BHUBANESWAR - 751021**

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

Case No. 06/2021

| | | |
|--------------------------------------|-------|------------|
| Sri Ashis Kumar Nanda | | Petitioner |
| Vrs. | | |
| The E.E (Elect.), CED, Jobra, TPCODL | | Respondent |

In the matter of: Application under Section 142 read with Sections 128 and 129 of the Electricity Act, 2003 for non-compliance of order dated 11.12.2020 of the Ombudsman-I passed in C.R. Case No.67 of 2020.

For Petitioner: Shri Bikash Kumar Jena, Advocate.

For Respondent: Shri Suresh Chandra Das, Advocate.

ORDER

Date of Hearing: 06.07.2021

Date of Order:12.08.2021

Shri Ashis Kumar Nanda, Son of Gopinath Nanda of Ganatipada, Chhatia, Jajpur has filed the above case under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 11.12.2020 of the Ombudsman-I passed in C.R. Case No. 67 of 2020. The learned Ombudsman-I while disposing of C.R. Case No. 67 of 2020 has observed that the respondent shall give a new electricity connection to the shop house of the petitioner considering his application for the same within a month hence basing on the compromise arrived between parties. In such a situation, the order passed by the learned GRF, Cuttack in C.C. Case No. 361/2020 dated 13.08.2020 be treated as nonest.

2. The case is taken up today for hearing through video conferencing. The counsel on behalf of the Respondent submitted that being aggrieved by the said order dated 11.12.2020 of the Ombudsman-I passed in C.R. Case No. 67 of 2020, the licensee has challenged the same before the Hon'ble High Court of Orissa in W.P.(C) No. 10053 of 2021 which is expected to be listed shortly.

3. After perusal of the case records, the Commission opines that there is no need to proceed further in the present case as the order dated 11.12.2020 of the Ombudsman-I passed in C.R. Case No. 67 of 2020 has been challenged by the Respondent before the Hon'ble High Court in W.P.(C) No.10053 of 2021 and the same is pending with the Hon'ble Court for adjudication. The order to be passed by the Hon'ble Court in the above writ petition shall be binding on the parties herein.
4. With the above observation the case is disposed of.

Sd/-
(G. Mohapatra)
Member

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson