

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

**Present: Shri G. Mohapatra, Officiating Chairperson  
Shri S.K.Ray Mohapatra, Member**

**Case No. 69/2021**

M/s. Falcon Marine Exports Ltd.	.....	Petitioner
Vrs.		
The E.E (Elect.), BED, TPCODL, Bhubaneswar	.....	Respondent

**In the matter of:**      **Application under Sections 142 of the Electricity Act, 2003 for non-compliance of order dated 29.05.2020 of the GRF-Bhubaneswar passed in Case No. 126/2020 and Order dated 29.10.2020 of the Ombudsman-I passed in C.R. Case No.51 of 2020.**

**For Petitioner:**      Shri Ananda Chandra Mohapatra

**For Respondent:**      Shri Suresh Chandra Dash, Advocate

**ORDER**

**Date of Hearing: 26.04.2022**

**Date of Order: 28.04.2022**

The petitioner M/s. Falcon Marine Exports Ltd., Bhubaneswar has come up with an application under Section 142 of the Electricity Act, 2003 for compliance of order dated 29.05.2020 of the GRF-Bhubaneswar passed in C.C. Case No. 126 of 2020 and also order dated 29.10.2020 of the Ombudsman-I passed in C.R. Case No.51 of 2020 which has confirmed the order of the GRF and directed the respondent to comply the same within a month.

2. During hearing the counsel for the respondent submits that being aggrieved by the order of the GRF, Bhubaneswar passed in C.C. Case No. 126/ 2020 and the order dated 29.10.2020 of the Ombudsman-I passed in C.R. Case No. 51 of 2020, the respondent had filed W.P.(C). No. 16946 of 2020 before the Hon'ble High Court of Orissa. The Hon'ble Court vide their order dated 21.04.2022 while disposing of the above writ petition with the consent of the parties has directed as follows:-

“5. *In view of such submissions, the impugned order is set-aside and the matter is remanded to the learned GRF, Bhubaneswar for disposal afresh without being influenced by its earlier order.*

6. *It is made clear that the points raised by either party shall be taken into consideration and answer shall be given issue-wise after giving opportunity of hearing and adducing evidence to both the parties, if required.*
7. *The Opp. Party No.1 shall go on paying the current electricity dues without any fail during pendency of the matter before the GRF, Bhubaneswar.*
8. *The parties are directed to appear before the grievance Redressal Forum on 10.05.2022 at 10.30 A.M. and the matter shall be disposed of within a period of two months thereafter.*
9. *With the aforesaid observation, the writ petition is disposed of.”*

Therefore, he has prayed the Commission to drop the proceedings initiated under section 142 of the Electricity Act, 2003 as the impugned orders of the forums have been set-aside by the Hon’ble High Court of Orissa and the issues have been remanded to the GRF, Bhubaneswar for disposal afresh as there is no need to proceed further in this present proceeding.

3. During the hearing the authorized representative of the Petitioner has agreed to the submissions made by the counsel for the Respondent.
4. Heard the parties at length. Since the Hon’ble High Court of Orissa has set-aside the impugned order dated 29.05.2020 of the GRF-Bhubaneswar passed in C.C. Case No. 126 of 2020 and also order dated 29.10.2020 of the Ombudsman-I passed in C.R. Case No.51 of 2020 vide their Order dated 21.04.2022 in W.P.(C). No. 16946 of 2020 and remanded the matter to the GRF, Bhubaneswar for disposal afresh there is no need to proceed further in this present proceeding.
5. With this observation, the proceeding under Section 142 of the Electricity Act, 2003 in this case is dropped.

Sd/-

**(S.K. Ray Mohapatra)**  
**Member**

Sd/-

**(G. Mohapatra)**  
**Chairperson (Officiating)**