

**ODISHA ELECTRICITY REGULATORY COMMISSION
PLOT NO. 4, CHUNUKOLI, SAILESHREE VIHAR,
CHANDRASEKHARPUR,
BHUBANESWAR-751021**

M/s.Maa Kirandevi Agro Foods (P) Ltd Petitioner
Vrs

The Executive Engineer (Elect.), TPNODL, Rairangpur Electrical Division,
Rairangpur, Mayurbhanj-757043. Respondent

In the matter of: **Application under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 01.03.2016 of the Appellate Authority, Keonjhar passed in Case No.AAC-6 of 2015.**

For the Petitioner : Shri Tushar Behera, the authorized representative

For the Respondent : Ms. Malancha Ghose, DGM (RA), TPNODL

Case No.37/2023

Date of hearing: 23.05.2023

Date of order: 23.05.2023

This matter is taken up today for hearing through hybrid arrangement (virtual/physical).

2. The present petition has been filed by the Petitioner for implementation of order dated 01.03.2016 passed by Learned Appellate Authority-cum-SE-cum-EI, Keonjhar passed in Case No.AAC-6 of 2015 being confirmed by the single Judge of Hon'ble High Court of Orissa in their order dated 29.10.2021 passed in WP(C) No.12128 of 2016.
3. The representative of the Respondent-TPNODL submitted that being aggrieved by the order dated 29.10.2021 passed by the single Judge of Hon'ble High Court of Orissa in WP(C) No.12128 of 2016, it has filed a Writ Appeal bearing No.1007 of 2021 and the Division Bench of the Hon'ble High Court vide their order dated 01.05.2023 has passed the following order:
*"1. Learned Counsel for the Appellant wants time to file his Vakalatnama.
A last opportunity is granted to do so before the next date.

2. List on 7th August, 2023"*
4. After perusal of the case record, the Commission opines that there is no need to proceed further in the present matter as the order of the Hon'ble single Judge has been challenged before the Hon'ble Division Bench in Writ Appeal No.1007 of 2021. The outcome of the said Writ Appeal shall be binding on both the parties herein.
5. With the above observation, the case is disposed of.

Sd/-
(S. K. Ray Mohapatra)
Member

Sd/-
(G. Mohapatra)
Member

Sd/-
(S. C. Mahapatra)
Chairperson