

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

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

Case No. 93/2023

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| M/s. Milk Mantra Dairy Pvt. Ltd. | | Petitioner |
| Vrs. | | |
| The Assessing Officer-cum-Executive Engineer (Elect.), NED, Nimapara, TPCODL, Puri. | | Respondent |

In the matter of: **Application under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 12.06.2023 and the corrigendum order dated 22.06.2023 of the Appellate Authority-cum-Addl. Chief Engineer-cum-Electrical Inspector, Bhubaneswar passed in Case No. AAC No.01 of 2023.**

For Petitioner : Shri A.K. Sahani, Authorised Representative.

For Respondents: Shri Debashis Pattanaik, Learned Advocate.

ORDER

Date of Hearing: 13.08.2024

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The case is taken up for hearing today through hybrid arrangement.

2. The Learned Counsel appearing on behalf of the Respondent-Licensee states that the present petition has been filed by the Petitioner seeking implementation of the order dated 12.06.2023 of the Appellate Authority-cum-Addl. Chief Engineer-cum-Electrical Inspector, Bhubaneswar passed in Case No. AAC No.01 of 2023 and according to the Petitioner, this has been violated by the Respondent-Licensee.
3. The Learned Counsel for the Respondent-Licensee further states that the aforesaid order of the Appellate Authority-cum-Addl. Chief Engineer-cum-Electrical Inspector, Bhubaneswar passed in Case No. AAC No.01 of 2023 was stayed by the Hon'ble High Court of Orissa vide their interim order dated 01.03.2024 in W.P.(C) No.1960 of 2024 titled as **The Assessing Officer-cum-EE (Elect.), NED, Puri Vrs. Appellate Authority-cum-Addl. Chief Engineer-cum-E.I., BBSR and Anr.** Further, as per the interim order dated 19.07.2024 of the Hon'ble High Court of Orissa in WP(C) No.1960 of 2024, the said order of stay dated 01.03.2024 shall continue till the next date.

4. The Authorized Representative of the Petitioner states that the Petitioner has approached this Commission before the matter was filed by the Respondent-Licensee in the Hon'ble High Court of Orissa.
5. Keeping in view the aforesaid stay order passed by the Hon'ble High Court of Orissa, no further order can be passed by this Commission in the present petition. However, in case the interim order of stay is vacated by the Hon'ble High Court, the Petitioner is at liberty to take appropriate steps as per law.
6. With the above observations, the case is disposed of accordingly.

Sd/-

(S.K. Ray Mohapatra)
Member

Sd/-

(G. Mohapatra)
Officiating Chairperson