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ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.4, OERC ROAD, SHAILASHREE VIHAR, BHUBANESWAR -751021
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Present: Shri Pradeep Kumar Jena, Chairperson
Shri G. Mohapatra, Member
Shri S. K. Ray Mohapatra, Member

Case No. 95/2023

M/s. Sai Shymala Fuel Station
Vrs.

..... Petitioner

The Executive Engineer (Elect.),
RED, Rayagada, TPSODL, Koraput.

..... Respondent

In the matter of: Application under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 30.12.2019 of the GRF, Jeypore passed in C.C. Case No.151 of 2019 which is upheld by the Hon'ble High Court of Orissa vide their order dated 18.05.2023 in W.P.(C) No.13585 of 2020.

ORDER

Date of Hearing: 06.05.2025

Date of Order: 06.05.2025

This matter has been taken up for hearing through hybrid arrangement.

2. The Petitioner- M/s. Sai Shymala Fuel Station, Kholliguda, Rayagada, Koraput has filed the instant petition under Section 142 read with Section 146 of the Electricity Act, 2003 for non-compliance of the order dated 30.12.2019 passed by the Learned GRF, Jeypore in C.C. Case No. 151 of 2019.
3. The Representative of the Licensee-TPSODL submits that after disposal of the SLP(C) No. 19657 of 2023 filed by it before the Hon'ble Supreme Court of India, challenging the judgment dated 18.05.2023 of the Hon'ble High Court of Orissa in W.P. (C) No.13585 of 2020, the Respondent-Licensee has complied with the Order dated 30.12.2019 of the Learned GRF Jeypore passed in C.C. No.151 of 2019. Therefore, he prays before the Commission to close the present proceeding filed by the Petitioner under Section 142 of the Electricity Act, 2003.
4. The Learned Advocate appearing on behalf of the Petitioner submits that the Respondent-Licensee has not fully complied with the aforesaid order dated 30.12.2019 of the Learned GRF, Jeypore and therefore it is stated that the Respondent-Licensee be directed to act upon the Order dated 30.12.2019 passed by the Learned GRF, Jeypore in C. C. Case No.151 of 2019.
5. Upon hearing the parties, the Commission directs the Learned GRF, Jeypore to take up the matter in C. C. Case No.151 of 2019 and verify & pass order whether the order dated

30.12.2019 in above case has been complied with in letter and spirit. Therefore, the Registry is directed to forward the Petition along with all the relevant documents to the Learned GRF.

6. The parties are directed to appear before the Learned GRF, Jeypore on 10.06.2025 for next course of action in this matter.

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

Sd/-
(G. Mohapatra)
Member

Sd/-
(P.K. Jena)
Chairperson