

GAHC010150052024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Review.Pet./136/2024

RAM PRASAD DAS
S/O- RAM CHARAN HARIJAN @ RAM CHANDRA HARIJAN, R/O- HOUSE
NO. 39 PITALKARKHANA, BISHNUPUR, P.O. GOPINATHNAGAR, P.S.
BHARALUMUKH, GUWAHATI-781016, KAMRUP(M), ASSAM

VERSUS

THE ASSAM POWER DISTRIBUTION COMPANY LTD AND 5 ORS
REPRESENTED BY CHAIRMAN 4TH FLOOR, BIJULEE BHAWAN, PALTAN
BAZAR, GHY-781001.

2:THE JOINT SECRETARY DEPARTMENT

POWER AND ELECTRICITY DEPARTMENT
DISPUR
GUWAHATI
ASSAM
PIN- 781006.

3:THE ASSAM STATE ELECTRICITY BOARD
(ASEB)

REP. BY SECRETARY
4TH FLOOR
BIJULEE BHAWAN
PALTAN BAZAR
GHY-781001.

4:THE GENERAL MANAGER / MANAGING DIRECTOR
APDCL
SIX MILE
GUWAHATI

PIN- 781022.

5:THE SUB-DIVISIONAL ENGINEER
KALAPHAR
ELECTRICAL SUB-DIVISION
APDCL
LAR
KAHILIPARA
GUWAHATI
PIN- 781016.

6:RAM AKBAL DAS
PITALKARKHANA
BISHNUPUR
P.O. GOPINATHNAGAR
P.S. BHARALUMUKH
GHY
DIST. KAMRUP(M)
PIN- 781016

Advocate for the Petitioner : G UDDIN, P ADHIKARI

Advocate for the Respondent : SC, APDCL,

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

19.08.2024

1. Heard Mr. G. Uddin, learned counsel for the review petitioner. Also heard Mr. K.P. Pathak, learned counsel for the APDCL.
2. The review petitioner has prayed for review of the order dated 03.05.2024 passed in WP(C) 2315/2024, wherein this Court had directed that the petitioner should be given the liberty to make an application to the APDCL authorities for grant of temporary connection and the same should be provided by the APDCL authorities, if the petitioner was in occupation of the premises for which the

electricity connection was sought for. The said direction had been passed by this Court in pursuance to the decision of the Supreme Court in the case of ***Dilip (dead) through Lrs. Vs. Satish & Others*** , reported in ***2022 0 Supreme (SC) 1485***.

3. The review petitioner's counsel submits that the petitioner had, in pursuance to the order of this Court, applied for grant of a temporary electric connection and the same was provided to the petitioner. However, the petitioner wants a review of the order, inasmuch as, he has to pay Rs.5050/- to the APDCL authorities for the temporary electricity connection and if the same was converted into a permanent connection, the petitioner will have to pay a lesser amount. He submits that the petitioner has submitted a representation which has not been decided by the respondent authorities.

4. Mr. K.P. Pathak, learned counsel for the APDCL submits that no ground for review has been made out by the review petitioner as can be seen from the submission made by the petitioner's counsel and the contents of the review petition.

5. The grant of temporary electrical connection had been made pursuant to this Court's order dated 03.05.2024 in WP(C) 2315/2024, in view of the fact that there was a property dispute between the petitioner and the respondent no.6 in the writ petition. Further, the Title Suit No.98/2024 was pending before the Civil Judge Junior Division No.2, Kamrup(M), Guwahati. As indicated above, the property in question for which temporary electricity connection has been given is a disputed property. The submission made by the writ petitioner and the

contents of the review petition do not indicate that there is any error apparent on the face of the record or any mistake has occurred in the order sought to be reviewed. In fact, the order dated 03.05.2024 has been acted upon by the review petitioner. This Court accordingly finds that no case for review of the order dated 03.05.2024 passed in WP(C) 2315/2024 has been made out.

6. The review petition is accordingly dismissed.

JUDGE

Comparing Assistant