

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 6157 of 2007**

- Chhattisgarh State Power Distribution Company Limited Through Its Executive Engineer (O And M) Division Siltara, CSPDCL, Raipur Chhattisgarh

---- Petitioner**Versus**

- M/s Jayaswal Neco Industries Limited Company Incorporated Under Companies Act 1956 having Its Registered Office At F-8, MIDC, Industrial Area, Hingna Road, Nagpur (Maharashtra)

---- Respondent

For Petitioner	:	Shri Amit Soni, Advocate under instructions from Shri Sunil Otwani, Advocate
For Respondent	:	Shri Rahul Pandey, Advocate

&**WPC No. 7471 of 2007**

- M/s Jayaswal Neco Industries Ltd., A Company incorporated Under The Companies Act, 1956 having its Registered Office At F-8, M I D C Industrial Area Hingna Road Nagpur Maharashtra State And One Of Its Plant At Siltara Industrial Area, Raipur, Chhattisgarh Through Mr. Pravesh Biswas, the Authorized Representative And Constituted Attorney, Chhattisgarh

---- Petitioner**Versus**

1. C.G.State Power Distribution Company Ltd., Vidyut Sewa Bhawan, Dangania, Raipur, District Raipur Chhattisgarh
2. Chhattisgarh State Electricity Regulatory Commission, Civil lines, G.E.Road, Raipur
3. Electricity Ombudsman, D-5, Electricity Board Complex, Gudiari, Raipur
4. Electricity Consumer's Grievances Redressal Forum C-5, Electricity Board, Complex, Gudiari, Raipur

---- Respondents

For Petitioner	:	Shri Rahul Pandey, Advocate
For Respondents	:	Shri Amit Soni, Advocate under instructions from Shri Sunil Otwani, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****24/08/2020**

Both the petitions arise out of order dated 31/08/2007 passed by the Electricity Consumer Grievance Redressal Forum, Raipur. In both the cases, during the course of hearing, learned counsel for the parties informed the Court on the last date of hearing that the parties have an alternative Forum where the orders passed by the Forum in respective petitions can be challenged. Learned counsel for the parties were given time to seek instructions in the matter.

Today, learned counsel for the parties appearing in the aforesaid petitions submit that looking to the nature of dispute and factual background of the case, the parties may be permitted to approach the Commission established by the State which is competent to adjudicate the dispute arising out of the order assailed in the two writ petitions.

Considering the submissions, particularly, taking into consideration the nature of dispute necessitating consideration on complex factual aspects of the matter, learned counsel appearing for the petitioners in the respective petitions are permitted to withdraw these petitions with liberty to approach the Commission set up by the State for redressal of grievance. Since these petitions have remained pending before this Court, the entire period, during which the petitions have remained pending, shall be excluded for all purposes and in case, respective petitioners approach the Commission, the Commission shall not reject their cases on the ground of delay but shall decide the petitions on its own merits.

With the aforesaid directions and orders, these two petitions stand dismissed as withdrawn with liberty as stated herein above.

Sd/-

**(Manindra Mohan Shrivastava)
Judge**