

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.17421 OF 2006

M/s.Tata Steel Ltd. & anr.

....

Petitioners

Mr.S.P.Sarangi, Adv.

-versus-

***North Eastern Electricity Supply
Company of Orissa Ltd. & ors.***

....

Opposite Party(s)

Mr.S.C.Das, Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
14.11.2022**

Order No.

9. 1. Heard learned counsel for the Parties.
2. This Writ Petition involves a challenge to the orders at Annexure-16 & 17 appearing to be a disposal by the Grievances Redressal forum, NESCO, Jajpur Road and the Ombudsman, Balasore respectively in rejecting the request of the Petitioner therein in an attempt for implementation of retail supply tariff order dated 22.3.2005 in respect of power drawal during off-peak hours, i.e., 10.00 PM to 6.00 AM and allowing benefit of rebate for the period from 1.4.2005 to 18.8.2005.
3. Learned counsel for the Petitioner in challenge to the orders involved herein taking this Court to the grounds and the provision of law referred to in the Writ Petition and at the same time, reading the

reasonings in rejecting the request of the Petitioner contended that there has been no legal exercise of mind in giving such observation. In the circumstance, learned counsel for the Petitioner prayed this Court for interfering with both the impugned orders and thereby granting appropriate relief to the Petitioner.

4. Keeping in view the grounds agitated herein and also the grounds urged in hearing of the Proceedings, vide Annexure-16 & 17, this Court going through the discussions made by both the Authorities finds, the Authorities involved herein carefully taken note of the objection raised by the Petitioner herein and even touching all issues have come to the conclusion in the rejection of the claim of the Petitioner. For there is threadbare discussion and reasonable observation declining the benefit claimed by the Petitioner and the order of the GRF being confirmed by the OMBUDSMAN, this Court finds, there is no scope for interfering with the impugned orders at Annexure-16 & 17 respectively. There is even no interim protection in favour of the Petitioner even in entertaining the Writ Petition. Further this Court finds, the benefit period is also less and for the time loss in the meantime, there is no scope for entertaining such relief at this stage. As a consequence,

this Court declines to grant the relief sought for in the Writ Petition, which is thus dismissed.

5. On perusal of the order-sheet, this Court finds, there is no stay of collection/demand, if any. Therefore, there may not be substantial prejudice to the Petitioner otherwise.

(Biswanath Rath)
Judge

M.K.Rout

