

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.3570 of 2022**

***Bijoy Kumar Joshi.***

....

***Petitioner***

***-versus-***

***Managing Director, TP Central  
Odisha Power Distribution Ltd. &  
others.***

....

***Opposite Parties***

**CORAM: JUSTICE S.PUJAHARI**

**ORDER  
22.03.2022**

**Order No.**

04.

1. This matter is taken up through Hybrid mode.
2. The petitioner in this writ petition seeks for a direction to the opposite party nos.1 to 3 to provide a fresh electricity connection in his name pursuant to his application under Annexure-6 by accepting the arrear electricity bill relating to Consumer No.201S90003671.
3. Heard Mr. Rout, the learned counsel appearing for the petitioner, Mr. B.N. Tripathy, the learned counsel appearing for the opposite party no.4 and Mr. S.P. Sarangi, the learned counsel appearing for the opposite party nos.1 to 3.
4. The case of the petitioner is that he is residing in a portion of the joint family property where electricity connection was taken in the name of the opposite party no.4 as consumer. But, there being

a dispute between the petitioner and opposite party no.4, power supply has been disconnected in order to harass the petitioner though he is residing in a portion of the said house being one of the co-owners. In such premises, he seeks a direction to the opposite party nos.1 to 3 to supply a separate electricity connection by treating him a separate consumer in the said premises.

5. Mr. Tripathy, learned counsel appearing for the opposite party no.4, however, submits that the petitioner is not residing in the same premises where the power supply has been given. But, in order to create evidence in his favour that he is also in occupation of the said premises, he wants an electricity connection in his name. Therefore, learned counsel for the opposite party no.4 vehemently opposes the supply of separate electricity connection in the name of the present petitioner to the said premises.

6. Mr. Sarangi, learned counsel appearing for the Distribution Company would submit that they have no problem to give a separate electricity connection to the petitioner as a consumer, but that has to be done only on re-payment of the outstanding bill in respect of the earlier consumer, i.e., opposite party no.4 who has been given a power supply in respect of the said plot.

7. Learned counsel for the petitioner would submit that he is ready and willing to pay the outstanding amount in respect of the earlier consumer. But, Mr. Tripathy, learned counsel for the opposite party no.4 would submit that no re-connection be granted against the existing consumer number. However, if a separate connection is at

all given on re-payment of the outstanding amount, it should be to the premises which is in the possession of the present petitioner.

8. Considering the aforesaid facts and submissions made, this writ petition is disposed of with a direction to the Distribution Company to treat the petitioner as a separate consumer and give power supply to the premises in his possession after making due enquiry of the same and also on receipt of the outstanding bill amount in respect of the earlier connection standing in the name of the opposite party no.4 in the same plot number which has already been disconnected. It is made clear that the electricity connection be given as early as possible preferably within a period of ten working days of receipt of the certified copy of this order by the Distribution Company. Furthermore, it is made clear that the aforesaid electricity connection as a consumer shall not be utilized as a piece of evidence to create any right in favour of the petitioner with regard to the dispute, if any, regarding the title over the land by the petitioner. The Distribution Company will act on production of the certified copy of this order.

9. Urgent certified copy of this order be granted on proper application.

**(S. Pujahari)**  
**Judge**

MRS