

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.5524 of 2022

M/s. Ratneswari Rice Mill ***Petitioner***

-versus-

Executive Engineer (Elect.),
TPSODL ***Opposite Party***

CORAM: JUSTICE S.PUJAHARI

Order
No.

ORDER
23.03.2022

01. 1. This matter is taken up through Hybrid mode.
2. Mr. P.K. Mohanty, learned Senior Advocate, submits that he has instruction to appear on behalf of the TPSODL.
3. Heard Mr. Mohapatra, learned counsel for the Petitioner and Mr. Mohanty, learned Senior Advocate being assisted by Mr. P. Mohanty, learned counsel for the TPSODL.
4. The grievance of the Petitioner in this writ petition is that for excess consumption of power supply, he has been asked to pay penalty plus actual consumption charges. The Petitioner against the same had approached the GRF. The GRF directed the Petitioner to pay 50% of the consumption charges and rest amount in instalment to the utility company, which has been taken over by the Opposite Party-distribution company.

However, he having not challenged the same before appellate authority and prosecuted the litigation before the GRF and in spite of the direction of the GRF he could not prefer an appeal due to Covid-19 during the limitation period which having been expired, he submits that the Petitioner would make a representation before the Opposite Party-distribution company ventilating his grievance within fifteen days hence and in that event, Opposite Party-distribution company may be directed to dispose of such representation taking note of the provision of the Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code as it then was and also directed the Opposite Party-distribution company to give power supply on payment of a part of the amount of the energy bill.

5. Mr. Mohanty, learned Senior Advocate for the Opposite Parties, submits that let the Petitioner make a representation to the Opposite Party-distribution company and if such a representation is made, the Opposite Party-distribution company will do the needful in the manner known to law.

6. Considering the aforesaid facts and the submissions made, this Court disposes of the writ petition giving liberty to the Petitioner to make a representation to the Opposite Party-distribution company within fifteen days hence annexing a certified copy of the order and on receipt of the same, it is hope and trust that the Opposite Party-distribution company taking note of the codal procedure shall consider the representation of

the Petitioner sympathetically and do the needful. It is open to the Opposite Party-distribution company to give power supply if the Petitioner paid a part of the energy bill as directed by the Opposite Party-distribution company pending disposal of the representation. However, the Petitioner shall go on paying the current energy bill pending disposal of the representation.

7. With the aforesaid order, this writ petition stands disposed of.

PKS

