

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.5996 of 2022
(Through hybrid mode)**

TPCODL, Puri

....

Petitioner

Mr. Lalitendu Mishra, Advocate

-versus-

Krushna Ch. Nayak and others

....

Opposite Parties

CORAM: JUSTICE ARINDAM SINHA

**Order
No.**

**ORDER
14.09.2022**

3.

1. Mr. Mishra, learned advocate appears on behalf of petitioner but none appears on behalf of opposite party no.1.

2. Text of order dated 27th July, 2022 is reproduced below.

“1. Mr. Mishra, learned advocate appears on behalf of petitioner and submits, impugned is award dated 5th October, 2021 made by the Permanent Lok Adalat awarding compensation of Rs.5000/- to be paid to opposite party for alleged disconnection and harassment thereby.

2. On query from Court he submits, service has been made. It is ascertained from the record that item delivery of postal article stands confirmed on 4th July, 2022, to opposite party no.1. Said opposite party goes unrepresented.

3. On further query from Court Mr. Mishra prays for adjournment to obtain instruction on point of

disconnection of supply to a consumer.

4. List on 3rd August, 2022.

Mr. Mishra draws attention to annexure-4 being letter dated 8th November, 2021 issued by Assistant Manager to Deputy General Manager saying there was no disconnection of supply to opposite party no.1 consumer in October, 2017. Corroboration provided is that there was no reconnection charge imposed on the consumer. He submits further, he has come ready to satisfy Court on the query under paragraph-3 in above extracted order dated 27th July, 2022.

3. There is no necessity for Court to ascertain mode and manner, in which disconnection to a domestic consumer is made. This is because there are no particulars of disconnection appearing in impugned award dated 15th October, 2021. Court has perused said letter dated 8th November, 2021. In spite of notice, opposite party no.1 (consumer) is not represented.

4. In the circumstances, there is no material, either appearing from impugned award or otherwise, to show there was disconnection. Clearly, impugned award is perverse. It is set aside and quashed.

5. The writ petition is disposed of.

(Arindam Sinha)
Judge

