

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 6269 of 2022

Prabina Kumar Sahoo @ Sahu

.....

Petitioner

None

-versus-

***Odisha Electricity Regulatory
Commissioner, Bhubaneswar and
another***

....

Opp. Parties

Mr. Anindya Kumar Mishra, Advocate
(For Opposite Party No.2)

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
26.08.2022**

Order No.

- 6.
1. This matter is taken up through Hybrid mode.
 2. None appears for the Petitioner at the time of call.
 3. Petitioner in this writ petition seeks for a direction to set aside the demand notice as well as disconnection notice issued under Section 56(1) of the Electricity Act, 2003 (for short, 'the Act') and to direct the Opposite Party No.2 to restore the electricity connection to the premises of the Petitioner.
 4. Mr. Mishra, learned counsel for Opposite Party No.2-TPSODL files a memo along with certain documents such as meter inspection report, provisional assessment order and final assessment order, which are taken on record. It is his submission that the writ petition suffers from suppression of material facts. On the basis of meter inspection report, the Petitioner never filed any objection and accordingly the final assessment order was passed on 1st February, 2020. The said order was not challenged and became final. Due to non-payment of dues pursuant to final

assessment under notice under Section 56(1) of the Act has been issued. Challenging the same, this writ petition has been filed suppressing the aforesaid material fact. Hence, the writ petition is not maintainable.

5. Since none appears to pursue the writ petition the same is dismissed for non-prosecution.

6. Interim order dated 6th May, 2022 passed in IA No.3135 of 2022 stands vacated.

(K.R. Mohapatra)
Judge



s.s.satapathy