

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21831 of 2011

Sobha Kedia

....

Petitioner

Mr. S.K. Sarangi, Advocate

-versus-

***Western Electrical Supply
Company of Orissa Limited
(WESCO) and others***

....

Opp. Parties

Mr. S.C. Dash, Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK**

**ORDER
26.04.2022**

Order No.

09.

1. The controversy in the present case is about 11 KV power supply line running over the plot of the Petitioner which the Petitioner wants to be removed. The Opposite Parties stated that they were prepared to shift the line provided the Petitioner deposits the estimated cost of Rs.39,392/- (way back in 2011) in terms of Regulation 13(9) of the OERC Distribution (Conditions of Supply) Code, 2004.

2. With the Petitioner not being inclined at that stage to make such deposit, the present petition was filed. It has been pending over 11 years now. There is a controversy whether the line is actually running across the plot of the Petitioner or across one corner of it as claimed by the Opposite Parties. Nevertheless, the letter written by the Opposite Party to the Petitioner on 10th May 2012, a copy which is enclosed to the counter affidavit, states that “the line can only be diverted

along the road as shown in the stretch map. As per the field verification it seems no government land exist in that area.”

3. Mr. Sarangi, learned counsel for the Petitioner, states that if an estimate prepared by the Opposite Party for shifting of 11 KV line along the road as proposed, the Petitioner is prepared to pay the said cost of shifting of the line. It is directed that the such estimate be provided to the Petitioner by the Opposite Party within a period of four weeks from today indicating the time within which the cost will be deposited and within what time thereafter the line will be shifted. No further directions are called for in the present petition.

4. The writ petition is disposed of in the above terms.

5. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge