

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17748 of 2022

Nibedita Singh

Petitioner

Mr. Biplab P.B. Bahali, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opposite Party No.1)

Mr. Sumit Lal, Advocate
(For Opposite Party Nos.2 and 3)

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

**ORDER
18.10.2022**

Order No.

4. 1. This matter is taken up through hybrid mode.
2. Counter Affidavit filed by Tahasildar, Rairakhol in Court is taken on record.
3. Petitioner in this writ petition prays for a direction to set aside the communication under Annexure-4 through electronic mode by which her application for supply of electricity to the premises, i.e., market complex standing over Plot No.2553 under Khata No.895 situated in mouza Rampur under Rairakhol tahasil of Sambalpur district has been rejected.
4. Amongst other submissions, Mr. Bahali, learned counsel for the Petitioner made the submission that no reason for rejection of her application has been assigned.
5. Mr. Lal, learned counsel appearing for TPWODL submits that in fact an application for supply of electricity was made online and the reply rejecting such application was made

through online vide Annexure-4. But in the meantime, the Sub-Divisional Engineer, TPWODL, Rairakhol has communicated the detailed reasons to the Petitioner vide Annexure-A/2 to the counter, which is received by her on 12th August, 2022, i.e., during pendency of the writ petition.

6. Mr. Bahali, learned counsel for the Petitioner by filing rejoinder affidavit raises several issues assailing sustainability of the rejection made vide Annexure-A/2 to the counter.

7. Since the objection raised requires factual adjudication, this Court feels that the authority, namely, Sub-Divisional Engineer, TPWODL, Rairakhol-Opposite Party No.3 should take a decision on the same.

8. Accordingly, it is directed that the Petitioner shall submit a detailed reply treating communication under Annexure-A/2 to the counter as notice to show cause within a period of two weeks hence. And in that event, Opposite Party No.3 shall take a decision on the same within a period of two weeks there from giving opportunity of hearing to the Petitioner and communicate the result thereof to the Petitioner.

9. With the aforesaid observation and direction, the writ petition is disposed of. It is made clear that this Court has not expressed any opinion on the merit of the case of either of the parties.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge