

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 22294 of 2022

Chilukuri Satyanarayan ***Petitioner***
Mr. Upendra Kumar Samal, Advocate

-versus-

TATA Power Western Odisha ***Opp. Parties***
Distribution Ltd. and others
Mr. Prasanta Kumar Tripathy, Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

Order No.

ORDER
13.10.2022

3. 1. This matter is taken up through hybrid mode.
2. Petitioner in this writ petition prays for a direction to set aside letter dated 8th July, 2022 (Annexure-3) issued by Executive Engineer (Elect.), BED, Bargarh and to provide power supply to the tower erected by M/s ATC Telecom Infra Pvt. Ltd. over the land of the Petitioner, i.e., Plot No.2630 under Khata No.922/183 to an extent of Ac.0.42 decimal in mouza Dulampur under Attabira tahasil in the district of Bargarh.
3. Mr. Tripathy, learned counsel for TPWODL submits that the writ petition at the instance of the Petitioner is not sustainable. However, M/s ATC Telecom Infra Pvt. Ltd. has made an application for regular power connection to its tower erected over the land of the Petitioner and the said application has already been processed and steps are being taken to provide power supply subject to compliance of statutory requirements.

4. Mr. Samal, learned counsel for the Petitioner submits that since steps have already been initiated to provide power supply to the tower erected by M/s ATC Telecom Infra Pvt. Ltd. no further order is required to be passed in this writ petition. However, Petitioner may file writ petition, if fresh cause of action arises.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court, without expressing any opinion on the merit of the submissions made by either of the parties, disposes of the writ petition with an observation that TPWODL may take expeditious steps for providing power supply to the tower erected by M/s ATC Telecom Infra Pvt. Ltd. over the land of the Petitioner subject to compliance of statutory requirements. It is, however, made clear that the Petitioner is at liberty to move this Court, if fresh cause of action arises.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge