

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 22972 OF 2022

Nilima Sahoo

.... Petitioner

Mr. Bijaya Kumar Nayak, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Suvashish Pattnaik,

Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

19.09.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Principal Secretary, Department of Energy, Government of Odisha, Bhubaneswar-Opposite Party No.1 to dispose of the appeal filed by her under Annexure-6 at an early date.
3. It is submitted by Mr. Nayak, learned counsel that the husband of the Petitioner died due to electrocution. Hence, she submitted a claim petition under Clause-5 of the Orissa Electricity Regulatory Commission (Compensation to Victims of Electrical Accident) Regulations, 2020 (for short 'the Regulations') on 30th November, 2021 as at Annexure-4. When no step was taken for redressal of her grievances and to pay compensation to the Petitioner, she filed an appeal before the Opposite Party No.1 in terms of Clause-11 of the Regulations. Although the appeal was filed since 15th January, 2022, but no step has yet been taken on the same. Hence, this writ petition has been filed for a direction to the Opposite Party No.1 for early disposal of the appeal and to direct the Managing Director, TPCODL, Bhubaneswar-Opposite Party No.2 to pay compensation of Rs.4.00 lakh to the Petitioner.

4. Mr. Pattanaik, learned Additional Government Advocate submits that he has no instruction in the matter. There is also no material on record to show as to whether the appeal under Annexure-6 was, in fact, filed before Opposite Party No.1 on 15th January, 2022, as alleged. However, the Petitioner, if so advised, can file a fresh appeal under Clause-11 of the Regulations ventilating her grievances and in that event, the Opposite Party No.1 will be in a position to take a decision on the same.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case of the Petitioner disposes of this writ petition with a direction that in the event the Petitioner files a fresh appeal under Clause-11 of the Regulations within a period of two weeks hence along with certified copy of this order, the Opposite Party No.1 shall do well to consider the same in accordance with law and take a decision thereon as expeditiously as possible preferably within a period of three months therefrom, giving opportunity of hearing to the parties concerned and communicate the decision thereof to the Petitioner forthwith.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks