

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 25333 OF 2022

M/s. AMSB Infra Private Ltd. **Petitioner**
Mr. Falguni Rajguru Mohapatra, Advocate
-versus-

The Assessing Officer-cum-Divisional **Opp. Party**
Manager (Electrical), TPCODL,
Bhubaneswar

Mr. Bijaya Kumar Dash, Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
29.09.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Mr. Bijaya Kumar Dash, learned counsel and his associates have entered appearance on behalf of the TPCODL by filing Vakalatnama in Court today, which is taken on record.
3. The Petitioner in this writ petition seeks to assail the initiation of proceeding under Section 126 of the Electricity Act, 2003 (for short 'the Act').
4. It is submitted by Mr. Mohapatra, learned counsel for the Petitioner that pursuant to the provisional assessment, the Petitioner has already submitted its show cause under Section 126(3) of the Act, which is pending for consideration before the Assessing Officer. Hence, he submits that interest of justice will be best served, if a decision is taken in the proceeding under Section 126 of the Act at an early date.
5. Mr. Dash, learned counsel for the TPCODL has no objection to the same.

6. In view of the above, this writ petition is disposed of with a direction that if the Petitioner has already submitted its reply to the provisional assessment, decision as per law shall be taken forthwith giving opportunity of hearing to the parties concerned.

7. On deposit of Rs.1,00,000/- (Rupees one lakh) within a period of seven days hence, there shall be no disconnection of power supply to the Petitioner's premises, which shall be subject to result of the final assessment. Needless to say that the Petitioner shall go on paying its current electricity dues.

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

(K.R. Mohapatra)
Judge

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