

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36201 of 2021

Shyam Sundar Cold Store

....

Petitioner

Mr. D.P. Dhal,
Sr. Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S.P. Panda,
Additional Government Advocate

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
06.01.2022**

Order No.

01. 1. This writ petition involves the following prayer:

“
PRAYER

It is therefore, prayed that this Hon'ble Court may graciously be pleased to :

Admit the present Writ Petition, call for the records and after hearing the parties.

AND

Issue a writ in the nature of Mandamus or/and any other appropriate Writ and Direction(s) and/or Order(s) to the Respondent(s) for changing the consumer category of the Petitioner's unit from 'large Industry Category' to 'Agricultural Category' and thereby refund the excess electricity bill amount as per the reduction in tariff rates for 'Agricultural Category' along with applicable interest.”

2. Considering the submissions made by the parties and since a representation on the selfsame issue is still pending before the competent authority, this Court is not inclined to entertain the writ petition at this stage. In the process while disposing of the writ petition as not entertainable at this stage, this Court directs the Opposite Party No.6 to consider the representation at the instance of the Petitioner vide Annexure-4, if the same is still pending and take a lawful decision in the matter taking into account the grounds stated in this writ petition so also the documents appended thereto. Result of such exercise shall also be communicated to the Petitioner.

3. The entire exercise shall be completed within a period of two months from the date of communication of an authenticated copy of this order alongwith a copy of the writ petition by the Petitioner.

(Biswanath Rath)
Judge

Ayaskanta Jena