Signature Not Verified
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Signed by: BIJAY KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 16-Feb-2024 19:41:22

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.36099 OF 2021

Nirmal Rice Mill .... ***Petitioner***

Mr. Sampark Jenamani, Advocate on behalf of Mr. Goutam Kumar Acharya, Senior Advocate

-versus-

TPWODL, Sambalpur and others .... ***Opp. Parties***

Mr. Prasanta Kumar Tripathy, Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER

Order No. **13.02.2024**

6. 1. This matter is taken up through hybrid mode.

2. The Petitioner in this writ petition seeks to assail the letter dated 5th October, 2021 (Annexure-3) communicating the additional bill for payment within a period of seven days failing which it was instructed that the Petitioner-Rice Mill will face disconnection of power supply.

3. Mr. Tripathy, learned counsel for TPWODL submits that since the dispute is with regard to billing amount, the Petitioner has an efficacious remedy under Section 42(5) of the Electricity Act, 2003 (for short 'the Act').

4. Learned counsel for the Petitioner, however, submits that availability of the alternative remedy shall not oust the jurisdiction of the Court under Article 226 of the Constitution in a just case.

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5. As the Petitioner has a remedy under Section 42(5) of the Act, I am not inclined to interfere with the letter under Annexure-3.

6. The Petitioner, if so advised, may work out its remedy in accordance with law.

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

(K.R. Mohapatra)
Judge

bks

HIGH COURT
ORISSA