IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20250 of 2026

CNR No.ODHC010483842026

Mukesh Kumar Pradhan .... ***Petitioner***

Mr. A.K. Nayak, Advocate

-versus-

State of Odisha & Ors.

.... ***Opposite Parties***

Mr. C.K. Pradhan, AGA

Mr. L.K. Moharana, Advocate

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
06.11.2026

W.P.(C) No.20250 of 2026
&
I.A. No.17829 of 2026

Order No.

06. **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the Parties.

3. This I.A has been filed by the Opposite Party-TPCODL seeking modification of the order dtd.31.08.2026, wherein this Court passed an interim order that subject to payment of cost of Rs.10,000/- from out of the impugned provisional demand of Rs.42,407.76/, no disconnection be made.

4. Learned counsel appearing for the TPCODL contended that Petitioner while availing power connection in his name, when failed to pay the demand of Rs.4,17,597/-, disconnection was made because of non-payment of the amount on 15.09.2019. On the face of such disconnection, when Petitioner took electricity connection to his residence by direct hooking, the provisional demand was raised against him to the tune of Rs.42,407.76/-, which is impugned in the present Writ Petition.

4.1. It is accordingly contended that since on the face of the disconnection of power supply because of non-payment of the demand of Rs.4,17,593/- on 15.09.2019, Petitioner took the connection by direct hooking and the said fact was never disclosed in the present Writ Petition, not only order dtd.31.08.2026 is required to be recalled but also the Writ Petition is liable for dismissal for suppression of material facts.

5. On the face of the order passed by this Court on 08.09.2026, 10.09.2026, 29.09.2026 and 02.11.2026, neither any objection has been filed to the I.A nor any affidavit has been filed denying the stand that the provisional demand under Annexure-2 was made because of direct hooking on the face of the disconnection of power supply, because of non-

payment of the outstanding to the tune of Rs.4,17,593/- on 15.09.2019.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, it is found that the present Writ Petition when was filed challenging the provisional demand of Rs.42,407.76/- so raised under Annexure-2, this Court vide order dtd.08.09.2026 observed that subject to payment of Rs.10,000/- from out of the demand, power supply be not disconnected. However, when it was brought to the notice of this Court that on the face of the disconnection on 15.09.2019, because of non-payment of the arrear electricity dues to the tune of Rs.4,17,593/- Petitioner by way of direct hooking has taken electricity connection and accordingly the provisional demand has been raised, this Court passed the following order on 08.09.2026:-

> *"1. This matter is taken up through hybrid mode.*
>
> *2. Heard.*
>
> *3. Mr. L.K. Maharana, learned counsel appearing for TPCODL contended that he has already received the instruction and will file an affidavit.*
>
> *4. It is further contended that Petitioner's power supply to the existing line so availed by the Petitioner vide Consumer No.00864675 was disconnected on 15.09.2019, because of nonpayment of outstanding dues of Rs.4,17,593/-.*
>
> *4.1. On the face of such disconnection made on 15.09.2019, Petitioner tried to take electricity connection*

to his residence by way of direct theft and for that the demand has been raised under Annexure-2.

4.2. Considering the instruction, learned counsel appearing for TPCODL is directed to file an affidavit.

4.3. Since it is contended that an application will be filed seeking modification of order dated 31.08.2026, list this matter on 10.09.2026."

6.1. On the face of time being allowed to the learned counsel appearing for the Petitioner on repeated occasion, no affidavit was filed denying the stand of Opposite Party-TPCODL, basing on which order dtd.08.09.2026 was passed.

6.2. Since because of non-payment of the electricity dues to the tune of Rs.4,17,593/-, power supply was disconnected on 15.09.2019 and on the face of such disconnection, Petitioner took electricity connection by way of direct hooking, this Court is inclined to recall order dtd.31.08.2026 and recall the same accordingly.

6.3. Not only that in view of the conduct of the Petitioner in not disclosing about the earlier demand and disconnection of power supply to his premises, this Court on the ground of suppression of material fact is not inclined to entertain the Writ Petition. This Court accordingly while dismissing the Writ Petition, impose a cost of Rs.50,000/- on the Petitioner. The cost be deposited before the Juvenile Justice Fund of this Court within a period of 4 (four) weeks hence, failing

which the same will be recovered as per the provisions of OPDR Act.

7. The Writ Petition stands dismissed accordingly. I.A stands allowed.

(Biraja Prasanna Satapathy)
Judge

Subrat

Signature Not Verified
Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 10-Nov-2026 14:59:03