
(2022) 04 OHC CK 0114
In the Orissa High Court
Case No : Writ Petition (C) No. 9034 Of 2022

Sk. Kamal

APPELLANT

Vs

Uddin TPCODL, Khurda & Anr

RESPONDENT

Date of Decision : 20-04-2022

Acts Referred:

Electricity Act, 2003 — Section 127

Citation : (2022) 04 OHC CK 0114

Hon'ble Judges : Biswanath Rath, J

Bench : Division Bench

Advocate : R.P. Kar

Final Decision : Disposed Of

Judgement

Biswanath Rath, J

1. This matter was not in today's list. On being mentioned in the first hour, this matter is taken up through special notice.

2. Even though this writ petition aims to the dispute with regard to the disconnection of the power supply from the house of the Petitioner, but after filing of the writ petition, it appears, there is raising of further bill by the Power Supply Company vide Annexure-4 showing the arrear amount against the Petitioner to be a sum of Rs.2,99,945/-. Bringing such demand through additional affidavit Mr. Kar, learned counsel for the Petitioner while admitting that there is already disconnection of power supply from the house of the Petitioner, however taking into consideration the plight of the Petitioner in maintaining the day-to-day life in the hard Summer, Mr. Kar, learned counsel for the Petitioner while showing his preparedness to file appeal against such bill, makes a request for conditional power connection to the house of the Petitioner at least till a decision is taken by the appellate authority.

3. Keeping in view the submission of Mr. Kar, learned counsel for the Petitioner and since the Petitioner has a statutory remedy of appeal U/s.127 of the

Electricity Act, 2003, this Court while finding the writ petition is not entertainable at this stage, however looking to the plight of the Petitioner, directs the Petitioner to deposit at least a sum of Rs.1,50,000/- (rupees one lakh fifty thousand) only making it 50% of the arrear bill at Annexure-4 at least within a period of three days hence and prefer appeal within seven days hence. It is further directed that in the event the Petitioner makes the deposit within the aforesaid period, there shall be immediate restoration of the power supply to the house of the Petitioner. Petitioner is also directed to go on depositing the current monthly dues. Deposit of the balance amount shall be dependent on the ultimately outcome in the appeal.

4. The writ petition stands disposed of with the above direction.

.....