

GAHC010019522023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/749/2023

ASSAM POWER DISTRIBUTION COMPANY LTD. AND ANR.
HAVING ITS OFFICE AT BIJULEE BHAWAN, PALTAN BAZAR,
GUWAHATI, KAMRUP(M), PIN- 781001, ASSAM
AND REPRESENTED ITS MANAGING DIRECTOR, SRI RAKESH KUMAR,
AGED ABOUT 48 YEARS,
SON OF SRI BALBIR SINGH,
RESIDENT OF IAS COLONY,
KHANAPARA, GUWAHATI, KAMRUP(M),
PIN- 781022, ASSAM.

2: THE AREA MANAGER
GUWAHATI IRCA-II
A.P.D.C.L.
JALUKBARI
GUWAHATI

DISTRICT- KAMRUP(M)
PIN- 781013

ASSAM

VERSUS

THE ELECTRICITY OMBUDSMAN AND 3 ORS.
CONSTITUTED UNDER THE ELECTRICITY ACT, 2003 AND HAVING ITS
OFFICE AT BIDYUT NIYAMAK BHAWAN,
AERC BUILDING, 3RD FLOOR, SIX- MILE,
GUWAHATI, DISTRICT- ASSAM

2:M/S H.K. SAGAR REALTORS LLP
REPRESENTED BY ITS PARTNER SRI HEMANT KUMAR AGARWAL AND
HAVING ITS OFFICE AT SATI JAYMATI ROAD
ATHGAON
GUWAHATI

KAMRUP(M)
PIN- 781001
ASSAM.

3:M/S BRAHMAPUTRA TMT BARS PVT. LTD.
REPRESENTED BY THE INTERIM PROFESSIONAL APPOINTMENT BY THE
HONOURABLE NATIONAL COMPANY LAWS TRIBUNAL AND HAVING HIS
OFFICE AT 3RD FLOOR
ADVIKA
OPPOSITE SUKRESWAR GHAT GARDEN
M.G. ROAD
PAN BAZAR
GUWAHATI
DISTRICT- KAMRUP(M)
PIN- 781001
ASSAM.

4:THE STATE BANK OF INDIA
REPRESENTED BY ITS MANAGING DIRECTOR AND HAVING ITS OFFICE
AT 18-19
DEVDAK KAMLEK BLOCK
SYNERGY BUILDING
BANDRA KURLA COMPLEX
BANDRA EAST
BEHIND STOCK EXCHANGE
MUMBAI
PIN- 400051
MAHARASHTRA
INDIA

Advocate for the Petitioner : MR. P N GOSWAMI

Advocate for the Respondent : MR. D GOSWAMI (r-2)

WP(C)/1358/2023

M/S H K SAGAR REALTORS LLP AND ANR.
A LIMITED LIABILITY PARTNERSHIP FIRM C/O SAGAR STEELS
CO HEMANT AGARWAL
AGED ABOUT 53 YEARS BLOCK B
PROTECH PRITAM
SATI JAYMATI ROAD
ATHGAON
GUWAHATI- 781001
REP. BY ITS PARTNER
SHRI RAVI PRAKASH AGARWAL

2: RAVI PRAKASH AGARWAL
C/O SAGAR STEELS
CO HEMANT AGARWAL
BLOCK B
PROTECH PRITAM
SATI JAYMATI ROAD
ATHGAON
GUWAHATI- 781001
VERSUS

M/S ASSAM POWER DISTRIBUTION COMPANY LTD. AND 4 ORS.
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI- 781001
REP. BY ITS MANAGING DIRECTOR

2:THE CHIEF GENERAL MANAGER (COM AND EE)
M/S ASSAM POWER DISTRIBUTION COMPANY LIMITED
BIJULEE BHAWAN
PALTAN BAZAR
GUWAHATI- 781001

3:THE AREA MANAGER
INDUSTRIAL REVENUE COLLECTION AREA-II M/S ASSAM POWER
DISTRIBUTION COMPANY LIMITED
JALUKBARI
GUWAHATI- 781012

4:THE SUB-DIVISIONAL ENGINEER
AMINGAON ELECTRICAL SUB-DIVISION
M/S ASSAM POWER DISTRIBUTION COMPANY LIMITED
AMINGAON
KAMRUP
PIN- 781031

5:THE ELECTRICAL OMBUDSMAN
UNDER THE ASSAM ELECTRICITY REGULATORY AUTHORITY AT SIXMILE
GUWAHATI- 781022

Advocate for : MR. K N CHOUDHURY
Advocate for : SC
APDCL appearing for M/S ASSAM POWER DISTRIBUTION COMPANY LTD.
AND 4 ORS.

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

13.03.2023

Heard Shri KN Choudhury, learned Senior Counsel assisted by Shri D Goswami, learned counsel for the petitioners in WP(C)/1358/2023 whereas Shri KP Pathak, learned Standing Counsel, APDCL has appeared for the petitioner in WP(C)/749/2023, who also represents the respondent-APDCL in WP(C)/1358/2023.

The matters have been heard at some length in the motion stage.

The learned Standing Counsel, APDCL is directed to seek instructions on one aspect of the matter.

As agreed to by the parties, list these cases for motion again on 15.03.2023.

Liberty is granted to the learned counsel for the parties for upgrading the matter, if so required.

It is submitted that in WP(C)/749/2023, there is an interim order.

Accordingly, the interim order passed in WP(C)/749/2023 stands extended till the next date of listing.

Shri S Dey, learned counsel appeared for the Electricity Ombudsman.

JUDGE

Comparing Assistant