

GAHC010054152023



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

Case No. : 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- 78100

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- 78102

Advocate for the Petitioner : MR. K N CHOUDHURY

Advocate for the Respondent : SC, APDCL

Linked Case : 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 : MR. P N GOSWAMI
Advocate for : MR. D GOSWAMI (r-2) appearing for THE ELECTRICITY
OMBUDSMAN AND 3 ORS.

**BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 27.09.2023

Heard Mr. K.N. Choudhury, learned Senior Counsel assisted by Mr. D. Goswami, learned counsel for the petitioner in W.P.[C] no. 1358/2023 and for the respondent no. 2 in the writ petition, W.P.[C] no. 749/2023; and Mr. S. Dey, learned counsel for the Electricity Ombudsmen.

Mr. B. Das, learned Standing Counsel, APDCL has submitted that in deference to the order dated 07.09.2023, the respondent APDCL authorities have filed their counter affidavit in the writ petition, W.P.[C] no. 1358/2023 and an affidavit-in-reply in the writ petition, W.P.[C] no. 749/2023.

Mr. Choudhury, learned Senior Counsel for the petitioner in W.P.[C] no. 1358/2023 has submitted that an affidavit-in-reply to the counter affidavit filed by the respondent APDCL authorities will be filed within 3 [three] weeks' time.

List the cases on 16.11.2023.

As some of the afore-stated pleadings are not tagged with the case records, let the same be traced out and be tagged with the case records.

JUDGE

Comparing Assistant