



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C) No. 6448 of 2026**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |             |                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------|
| <p><b>1. Deepak Kumar<br/>Dash</b></p> <p><b>2. Chandan Kumar<br/>Mohapatra</b></p> <p><b>3. Saroj Kumar Das</b></p> <p><b>4. Milan Kumar<br/>Behera</b></p> <p><b>5. Manas Kumar Patra</b></p> <p><b>6. Ashok Kumar Das</b></p> <p><b>7. Sarat Kumar<br/>Behera</b></p> <p><b>8. Kartikeswar<br/>Mohapatra</b></p> <p><b>9. Abani Kumar Sing</b></p> <p><b>10. Manas Kuamr Patra</b></p> <p><b>11. Balarama Dutta</b></p> <p><b>12. Pradipta Kishor<br/>Dandapat</b></p> <p><b>13. Birendra Nath<br/>Behera</b></p> <p><b>14. Jalad Kumar Rout</b></p> <p><b>15. Shiba Prasad<br/>Nanda</b></p> <p><b>16. Jyanranjan<br/>Mohanty</b></p> <p><b>17. Kanhu Charan<br/>Samanta</b></p> <p><b>18. Chandra Mohanta</b></p> | <p>....</p> | <p><b>Petitioners</b></p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------|

Mr. S. Mishra, Advocate

-versus-

- 1. Chief Executive  
Officer Tata Power  
North Odisha,  
Distribution Ltd.**



**(TPNODL) At/Po-  
Januganj, Dist-  
Balasore**

**2. Secretary Cum  
Finance Officer  
Trust of Finance-  
Election Officer  
TPNODL, Januganj, .... Opposite Parties  
Dist- Balasore**

Mr. P.K. Mohanty, Sr. Advocate  
Mr. P. Mohanty, Advocate

**CORAM: JUSTICE V. NARASINGH**

**ORDER  
26.02.2026**

**Order No.**

01. 1. Heard learned counsel for the Petitioners and the learned counsel for the State.
2. The grievance of the Petitioners, who claimed to be erstwhile employee of NESCO now under the TPNODL, assail the notification dated 03.02.2026 for election of two employees to the Board of Trustee of NESCO/ TPNODL.
3. The relief sought for is extracted hereunder for convenience of reference;

“It is in the circumstances humbly prayed that your Lordship may graciously be pleased to admit the writ petition issue notice to the Opp.parties to show cause as to why this writ petition shall not be allowed and if the Opp.parties do not show cause or show in sufficient or false cause then after hearing the counsel for the parties be pleased to allow the



writ petition by quashing the Notification dt. 03.02.2026 for holding the election to the provident Fund and Pension Fund Trust and/or allow the petitioners to cast their vote by including their name in the voter list and be further pleased to pass any other and/or further order/orders as deem fit and proper in the facts and circumstances of the case.

And for the said act of kindness, the petitioner shall as in duty bound ever pray."

4. It is urged with vehemence by learned counsel for the Petitioners that since the notification was issued in violation of the Petitioners' "Fundamental right to vote", the matter merits consideration of this Court.

And, it is the further submission that since the Opposite Parties are amenable to the writ jurisdiction, the writ petition is entertainable.

4-A. Admittedly, the process of election has commenced as on 03.02.2026, which is evident from the schedule, which is part of the notification under challenge.

5. On considering the recitals and the nature of relief sought, this Court is not persuaded to hold that the matter comes within the domain of plenary jurisdiction of this Court.

6. Accordingly, the W.P.(C) stands disposed of.



7. It is needless to state that the disposal of the present writ application shall not debar the Petitioners from invoking jurisdiction of the common law forum, if so advised. If such a motion is made, this Court has no iota of doubt that the Court in seisin will consider the same independently without being prejudiced by the non-entertainment of this writ petition.

8. UCC as per rules.

**(V. Narasingh)**  
**Judge**

**Santoshi**