

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No. 393 of 2025

Dilkhusa Tea Co. Ltd.

.....Petitioner(s)

Versus

Tripura State Electricity Corporation Ltd & Ors.

.....Respondent(s)

For Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate
Mr. Samarjit Bhattacharjee, Advocate.
Mr. D. D, Saha, Advocate.

For Respondent(s) : Mr. S. Kr. Deb, Sr. Advocate.
Mr. A. De, Advocate.
Mr. S. Saha, Advocate.
Mr. K. Deb, Advocate.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

ORDER

31.07.2025

[1] Heard learned counsel appearing for the respective parties.

[2] This present petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

"i. Issue Rule upon the Respondents to show cause as to why writ in the nature of Mandamus and/or order/order/orders and /or direction/ directions of like nature shall not be issued directing the Respondents to restore the electrical connection of Consumer IDs- S02200810326 & S02200806945 to facilitate the business of the Petitioner.

ii. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders and/or direction/ directions of like nature shall not be issued quashing and cancelling the impugned letter, dated, 18.06.2025 issued by the Respondent No. 4.

iii. Pass an interim Order for restoring the electric connection of the Petitioners with regard to Consumer ID Nos-S02200810326 & S022008106945.

iv. Make the rules absolute.

V. Call for records."

[3] Brief facts of the Petitioner's case is that the petitioner is a Private Ltd. Company incorporated under the Companies Act, 1956. The Board of Directors of the Petitioner met on 19.06.2025 at its Kolkata Office and take resolution to file petition before the High Court of Tripura seeking necessary direction to restore the Electric connection. Thereafter, the Board of Directors also authorized an Official to represent the Petitioner before the Hon'ble High Court of Tripura vide resolution, dated, 19.06.2025, the aforesaid decision has been taken by the Chairman. As such the Petitioner has filed the instant writ petition seeking necessary direction upon the respondents to restore the electrical connection of the Petitioner vide Consumer ID Nos-S02200810326 & S02200806945 and to quash and cancel the impugned letter, dated, 18.06.2025 issued by the SAI Computers Ltd.

[4] Mr. P. Roy Barman, learned senior counsel assisted by Mr. D.D Saha, learned counsel appearing for the petitioner submits before this Court that by a letter dated 18.06.2025 issued by Sai Computers Ltd., the Manager, Murticherra Tea Estate has been informed that during inspection conducted on 17.06.2025 at around 1.00 PM , it was found that the petitioner-company was drawing power illegally by means of direct theft and accordingly, they imposed penalty of Rs. 19,32,680/- on the ground of pilferage

without giving any notice to that effect and henceforth, disconnected the power supply.

[5] Thereafter, a reply letter in the form of representation has been made before the concerned authority denying and disputing the charge of allegation and causing their protests against disconnection. Further, it is seen that by a letter dated 09.07.2025 the Project Manager, Sai Computers Ltd. rejected the prayer/representation of the petitioner.

[6] In view of the disputed questions of fact, whether the petitioner herein committed theft or not, what are the electricity bills and how much it comes to, all these facts needs to be decided by the concerned authority. This Court under Article 226 of the Constitution of India cannot adjudicate the same, since, the disputed questions of fact remain un-adjudicated.

[7] In view of the above, without expressing any opinion on merits of the case, this writ petition is dismissed, directing the petitioner herein to approach before the appropriate appellate authority ventilating their grievances and upon receipt of such prayer the concerned appellate authority may decide the matter at the earliest, in accordance with law.

With the above observation and direction, this present writ petition stands dismissed. As a sequel, miscellaneous application(s), pending if any, shall stand closed.

DR. T. AMARNATH GOUD, J

Paritosh

