



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.17670 OF 2026

CNR No.ODHC010423712026

***M/s.Beekay Steel Industries Ltd.,
Kolkata***

....

Petitioner

Mr. Avijit Pal, Advocate

-versus-

***The Odisha Electricity Regulatory
Commission, Bhubaneswar and others***

....

Opp. Parties

Mr. Lalit Moharana, Advocate

CORAM:

HON'BLE MR. JUSTICE K.R. MOHAPATRA

HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

25.08.2026

Order No.

03.

1. This matter is taken up through Hybrid Mode.
2. The Petitioner in this writ petition prays for the following reliefs:

“It is, therefore, most humbly prayed that taking into consideration the aforesaid facts and circumstances of the case, this Hon'ble Court may graciously be pleased to issue Rule Nisi, in the nature of writ of Mandamus/certiorari calling upon the Opposite Parties to show cause as to why the letters dated 4.12.2025, 15.12.2025, 03.02.2026 and Bill issued on 20.04.2026 for the financial year 2024-25 shall not be declared as illegal and consequently, levy of the said imposition of Cross Subsidy Surcharge on the petitioner amounting to Rs.73,51,219.42 by such letters dated 4.12.2025, 15.12.2025, 03.02.2026, and Bill issued on 20.04.2026 for the financial year 2024-25 under Annexure-1 series should be set aside and/or quashed;

If the Opposite parties fail to show cause or show insufficient cause, said rule be made absolute and the letters dated 4.12.2025, 15.12.2025, 03.02.2026 and Bill issued on 20.04.2026 imposing of the Cross Subsidy Surcharge on the petitioner amounting to Rs. 73,51,219.42 be quashed and set aside and/or pass such other further order/orders as deems



just and proper and for which act of kindness, the petitioner, as in duty bound, shall ever pray.”

3. It is submitted by Mr. Pal, learned counsel for the Petitioner that this writ application was filed as quorum for adjudication of the dispute raised by the Petitioner was not available at Odisha Electricity Regulatory Commission (for brevity ‘the Commission’).

4. Mr. Moharana, learned counsel appearing for the Opposite Party Nos.2 and 3-TPCODL submits that at present the quorum is available to adjudicate the dispute raised by the Petitioner in the present writ application.

5. In view of the above, Mr. Pal, learned counsel for the Petitioner submits that direction may be made for adjudication of the dispute raised by the Petitioner before the Commission. He further prays for a leave to move the Commission for interim protection.

6. Mr. Moharana, learned counsel for the Opposite Party Nos.2 and 3 does not have any objection. He submits that the matter is posted to 22nd September, 2026 for hearing before the Commission.

7. In view of the above, this Court without expressing any opinion on the merits of the case and the contentions raised in the writ petition, disposes of the writ petition with a direction that the parties, if so advised may participate in the hearing of the matter posted to 22nd September, 2026.

The Petitioner is also at liberty to move for any interim protection and in that event the same shall be considered in accordance with law giving opportunity of hearing to the parties concerned.

8. In view of the disposal of the writ petition, the interim order dated 09.06.2026 passed in I.A. No.10658 of 2026 stands vacated.



However, the vacation of the interim order shall not influence the Commission in considering the prayer for interim protection, if any made by any of the parties.

Urgent certified copy be issued as per rules.

(K.R. Mohapatra)
Judge

(Mruganka Sekhar Sahoo)
Judge

Radha/Jyostna