

**IN THE HIGH COURT OF KARNATAKA  
KALABURAGI BENCH**

**DATED THIS THE 25<sup>TH</sup> DAY OF JUNE, 2021**

**BEFORE**

**THE HON'BLE MR.JUSTICE ASHOK S. KINAGI**

**WRIT PETITION No.44616/2015 (T-RES)**

**BETWEEN:**

ACC LIMITED  
REGISTERED OFFICE  
"THE ESTATE" 003A,  
GROUND FLOOR 121  
DICKENSON ROAD  
BANGALORE - 560 042  
BY ITS MANAGER & LEGAL  
(WEST & SOUTH) AND PA HOLDER  
MR. SHUBHOJIT GHOSH

BRANCH OFFICE  
KUDITHIN CEMENT WORKS  
KURUGODU ROAD, P.O. KUDITHINI  
DIST. BELLARY-583 115  
KARNATAKA

CORPORATE OFFICE AT  
"CEMENT HOUSE" 121  
MAHARISHI KARVE ROAD  
MUMBAI - 400 020

**... PETITIONER**

**(BY SMT. SHOBHA S. BHAVIKATTI, ADVOCATE-ABSENT)**

**AND:**

1. GULBARGA ELECTRICITY SUPPLY  
COMPANY LIMITED  
A COMPANY INCORPORATED UNDER THE  
COMPANIES ACT, STATION MAIN ROAD  
STATION ROAD, GULBARGA - 585 102  
BY ITS MANAGING DIRECTOR
2. THE ASSISTANT EXECUTIVE  
ENGINEER (AEE)  
OFFICE OF THE ASSISTANT EXECUTIVE  
ENGINEER, RURAL SUB-DIVISION  
GESCOM, BELLARY
3. THE DEPARTMENT OF  
ELECTRICAL INSPECTORATE  
THE GOVERNMENT OF KARNATAKA  
#32/1-2, CRESENT TOWERS  
SECOND FLOOR CRESENT ROAD  
BANGALORE - 560 001  
REPRESENTED BY THE  
CHIEF ELECTRICAL INSPECTOR
4. INDIAN ENERGY EXCHANGE LIMITED  
A COMPANY REGISTERED UNDER THE  
PROVISIONS OF THE COMPANIES ACT, 1956  
HAVING ITS REGISTERED OFFICE AT  
FOURTH FLOOR TDI CENTRE  
PLOT NO.7, JASOLA, NEW DELHI - 110 025  
REPRESENTED BY ITS MANAGING DIRECTOR

**... RESPONDENTS**

**(BY SRI RAVINDRA REDDY, ADVOCATE FOR R1;  
SRI SHIVAKUMAR R. TENGLI, AGA FOR R3;  
R2-SERVED)**

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF  
THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT  
RESPONDENT NOS.1 TO 3 HAVE NO AUTHORITY TO MAKE A  
FISCAL DEMAND THAT IS CONTRARY TO THE ARTICLES OF THE

CONSTITUTION OF INDIA AND THE LAW AS DECLARED BY THE HON'BLE SUPREME COURT OF INDIA AND ETC.

THIS PETITION COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:-

**ORDER**

This petition was filed on 09.10.2015 and the matter was listed before the Court on 14.12.2015. On 14.12.2015, this Court has granted interim order. Thereafter, the matter was posted on 12.09.2019, on that day, two weeks' time was granted to do the needful. Again on 11.11.2020, two weeks' time was granted to do the needful and on 02.12.2020, two weeks time was granted to comply with the office objections. On 18.12.2020, four weeks' time was granted to do the needful and again on 31.03.2021, finally, a week's time was granted to comply with the office objections. Thereafter, on 09.06.2021, two weeks' time was granted to comply with the office objections and it was made clear that if office

objections are not complied within two weeks, the writ petition would be dismissed for non-prosecution.

2. Even today, none appears for the petitioner and the petitioner has not complied with the office objections since 2015 which shows that the petitioner is not interested in prosecuting the writ petition.

3. In view of the peremptory order dated 09.06.2021, the writ petition is dismissed for non-prosecution.

**Sd/-  
JUDGE**

NB\*