

Ct. 23
Item No.12
11.12.2020
(suvendu)

WPA 8653 OF 2020

Samir Kumar Ray
Vs.
WBSEDCL & Ors.

(Via Video Conference)

Ms. Oindrila Ghosh for the petitioner

Mr. Saurav Chaudhurifor the WBSEDCL

The petitioner is enjoying electricity from West Bengal State Electricity Distribution Company Limited (in short, “WBSEDCL”). The petitioner complains of in respect of two bills raised by WBSEDCL respectively on 17th July, 2020 and 10th October, 2020 appearing at pages 18 and 23 of the writ petition. The petitioner also says that the meter installed at the petitioner’s premises is defective.

The dispute regarding any bill raised by a consumer has to be referred to and decided by the Grievance Redressal Officer and therefrom by the learned Ombudsman.

The writ court cannot go into the technical and factual appreciation of the disputed bills. The petitioner is, therefore, directed to approach the concerned Grievance Redressal Officer within 22nd December, 2020 in connection with the two disputed bills including the plea of defective meter.

The Grievance Redressal Officer, if approached, shall decide the dispute so referred to him by the petitioner and pass a reasoned order within a period of two months from the date of the petitioner's complaint after hearing the parties and shall communicate the same to the parties within three days upon the same being passed. The Grievance Redressal Officer shall be free to decide as to the mode of hearing but shall adhere to principles of natural justice.

Subject to the payment by the petitioner of the regular bills that may be raised by WBSEDCL except the two disputed bills, WBSEDCL shall not disconnect the electricity till two weeks from the date of passing of the order by the Grievance Redressal Officer in the event the petitioner approaches him. In case of default on the part of the petitioner in approaching the Grievance Redressal Officer, WBSEDCL shall be free to proceed in the matter as against the petitioner as permissible in law for realising its dues including disconnection of electricity for non-payment of bills.

It is made clear that I have not gone into the merit of the case and the Grievance Redressal Officer shall be free to decide all the points that may be raised before him without being influenced by this order.

The writ petition is disposed of without any order as to costs.

Since no affidavit-in-opposition is called for, allegations contained in the writ petition are deemed to be denied.

Urgent xerox certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Arindam Mukherjee, J.)