

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

APPELLATE SIDE
(Via Video Conference)

WPA 609 of 2021

Metsil Exports Private Limited & Anr.
Vs.
West Bengal Electricity Regulatory Commission & Ors.

Mr. S.N. Mitra, Sr. Advocate
Mr. J. Chakraborty
Mr. C. Shroff
Mr. S. Shroff
... For the petitioners

Mr. Pratik Dhar, Sr. Advocate
Mr. Ritwik Pattanayak
Ms. Sharmistha Ghosh
Mr. Victor Chatterjee
Ms. Neha Chakraborty
... For the respondent no.1

Mr. Jaydip Kar, Sr. Advocate
Mr. Prasun Mukherjee
Mr. Deepak Agarwal
... For DVC

After hearing the parties and considering the
materials on record, the following order is passed:-

(i) The petitioner no.1 shall, by 8th February, 2021, pay to the respondent no.2 (Damodar Valley Corporation) a sum of Rs.18,19,834/-(Rs.27,19,834/- – Rs.9,00,000/-).

(ii) The respondent no.2 from the bill for the month of January, 2021 to be raised in early February, 2021 shall give adjustment of a sum of Rs.9,00,000/-

to the petitioner no.1 from the aggregate bill value of that month.

(iii) The respondent no.2 from the bill for the month of February, 2021 to raise in early March, 2021 shall give adjustment of Rs.9,19,834/- (Rs.27,19,834/- – 18,00,000/-) to the petitioner no.1 from the aggregate bill value of that month.

This order is passed only with regard to the instant writ petition and in the case of the petitioners. This order shall not create any precedence in respect of any other person/entity similarly placed like that of the petitioners but has not approached the Court.

With the above observation, the writ petition stands disposed of accordingly.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)