

11.03.2021
rc/ct.no.10
Item No.03

WPA No. 972 of 2021

Mr. Dilip Kumar Samanta ...for the petitioner

Mr. Amitabh Shukla

Mr. Prakash Chandra Pandey ...for the WBSEDCL

The grievance of the petitioner is directed against the demand raised by the respondent Corporation.

It is submitted on behalf of the petitioner that there has been no consumption of electricity and the respondent Corporation has raised an inflated baseless bill. It is further submitted on behalf of the petitioner that they have made certain part payments but there is no basis to the impugned bill. It is further submitted on behalf of the petitioner that the respondent has used muscle power to disconnect the electricity line of the petitioner.

The petitioner relies on Section 56(1) of the Electricity Act, 2003.

The respondents are represented.

It is submitted on behalf of the respondents that the petitioner has an efficacious alternative remedy under Regulation 3.5 of Notification dated February 20, 2020. It is further submitted that in view of the statutory alternative efficacious remedy provided to the petitioner under Clause 3.5 of the said Notification the Grievance Redressal Officer is the appropriate authority to consider and adjudicate the disputes raised by the petitioner.

In view of the submission made on behalf of the parties and in view of the fact that the grievance of the

petitioner is directed against a bill dated January 06, 2021 I am of the view that a statutory alternative efficacious remedy is available to the petitioner in law.

So far as the Section 56(1) of the Electricity Act, 2003 is concerned, I am of the view that notwithstanding Section 56(1) of the Electricity Act, 2003 the appropriate remedy for the petitioner is to make an application before the Grievance Redressal Officer. Clause 3.5 of the Notification categorically provides that in case of any dispute in respect of the billed amount it is the Grievance Redressal Officer which is the appropriate authority to consider such grievance. Accordingly, I am of the view that the petitioner has a statutory alternative efficacious remedy available to him in law.

The petitioner is granted liberty to file a representation with the Grievance Redressal Officer within two weeks from date. If such representation is made by the petitioner, the Grievance Redressal Officer is directed to consider and dispose of the representation of the petitioner within a period of four weeks from the date of receipt of the same after giving an opportunity of hearing to the petitioner and all affected parties.

With the aforesaid directions, WPA No. 972 of 2021 stands disposed of.

There shall, however, be no order as to costs.

(Ravi Krishan Kapur,J)