

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2327 of 2020

Nur Mahammad
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Md. Hasanuz Zaman
... For the petitioner

Mr. S.S. Koley
... For WBSEDCL

The petitioner disputed the bills raised by West Bengal State Electricity Distribution Company Limited (in short “WBSEDCL”), the licensee. The issue was considered by the Regional Grievance Redressal Officer (in short, RGRO). The petitioner’s case was numbered as 003 of 2020 before the concerned RGRO. The said RGRO heard the matter on 10th January, 2020 and passed a final order in February, 2020. Subsequent to the order of the RGRO, WBSEDCL had re-issued bills. The total amount under the re-generated bill up to October, 2019 is Rs.1,19,223/-. The petitioner’s line is still in operation and, as such, there are subsequent bills which the petitioner has not paid. The petitioner says that the petitioner has been saddled with late payment surcharge which the petitioner is not liable to pay. The petitioner has made payment of an ad hoc amount of Rs.20,000/- on 1st February, 2021.

Considering the fact that the final order passed by the RGRO is appealable before the Electricity Ombudsman, the petitioner's remedy lies in filing the appeal so far as the final order passed by the RGRO is concerned. The petitioner is permitted to file the appeal against the order of the RGRO before the Electricity Ombudsman by 25th February, 2021. The petitioner shall also make payment of a further sum of Rs.70,000/- by 24th February, 2021. On payment of such sum within the time frame provided, the electricity connection of the petitioner shall not be disconnected for any non-payment against the bills which were in dispute before the RGRO. In the event the appeal is filed before the Electricity Ombudsman and the petitioner makes payment of a sum of Rs.70,000/- as directed by this Court, the Electricity Ombudsman and WBSEDCL shall consider such payment for the purpose of entertaining the appeal that may be filed before the Electricity Ombudsman.

It is made clear that the petitioner shall have to pay the regular bills that may be raised from time to time apart from the bills which form the subject matter of dispute before the RGRO.

It is also made clear that WBSEDCL shall be free to take steps as permissible in law in case of default of the petitioner in paying the regular bills apart from the disputed bills.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

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

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

(Arindam Mukherjee, J.)