

22.02.2021
Mithun
Sl. No.15.
D/L.
Ct.No.42

CRR/463/2021

Md Humayun Sk
Vs.
State of West Bengal & Anr.

Mr. Anjan Bhattacharya, Adv.
Ms. Anita Shaw, Adv.

...the Petitioner.

Mr.Aniket Mitra, Adv.

...for WBSEDCL.

Md.Anwar Hossain, Adv.
Ms.Sreyashee Biswas, Adv.

...for the State.

Parties are represented through their learned Advocates, the name of whom are shown above at the beginning of the order sheet.

Mr. Bhattacharyya representing the petitioner submits that the West Bengal State Electricity Distribution Company, being the opposite party No.2 has illegally issued an inflated bill amount to the petitioner, a domestic consumer, causing maximum harassment to the petitioner. It is further contended by Mr. Bhattacharyya that subsequent to the persuasion of the petitioner, there has been re-assessment of the bill, and the final re-assessed bill

could not be liquidated till date, because of the financial distress of the petitioner.

Mr. Aniket Mitra, Learned Advocate for the WBSEDCL submits that when there has been re-assessment of the bill, there has nothing left to be prejudiced over the issue of bill amount.

Mr. Bhattacharyya undertakes to liquidate the re-assessed bill amount within a reasonable period of time.

Mr. Hossain, learned Advocate representing the State submits that the entire dispute is the fight between the petitioner and the opposite party No.2 and proposes for passing necessary order in this case.

Upon perusal of the order passed by the Lower Court in connection with this case, it appears that after submission of the charge-sheet, warrant of arrest was issued against the petitioner in June, 2017. Since the warrant of arrest has not been formally issued, the same was issued on 11th April, 2019 against the petitioner. The warrant of arrest is thus pending since April, 2019. The final assessment of the bill was done in 2017 and since then the outstanding amount could not be liquidated.

Having considered the rival submission of the parties, the Court is of the view that the instant revisional application may be disposed of, so as to subserve the

purpose of justice, as proposed to be obtained, giving direction mentioned as hereinunder.

Let there be an order directing stay of execution of warrant of arrest pending against the petitioner for a period of four weeks from hence with condition to surrender before the learned Court below within such time granted above, and if any bail petition is furnished upon surrendering, the same shall be disposed of by the learned Court below in accordance with law providing sufficient opportunity of hearing to either of the parties.

With this direction, the revisional application is stands disposed of.

(Subhasis Dasgupta, J)